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ENVIRONMENTAL PRIORITIES INITIATIVE
PRELIMINARY ASSESSMENT

Purpose: RCRA Preliminary Assessment

Site: Evergreen Oil, Incorporated
6880 Smith Avenue
Newark, California 94560
Alameda

Site EPA ID Number:	CAD980887418
Investigators:	Peter M. Geiger Karen Johnson
Date of Inspection:	February 18, 1992
Report Prepared By:	Peter M. Geiger
Report Date:	March 26, 1992
Review/Concurrence:	James M. James 3/27/92
Submitted To:	Rachel Loftin Site Assessment Manager EPA Region IX

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International Specialists in the Environment

1.0 INTRODUCTION

PRC Environmental Management, Inc. (PRC) received Work Assignment No. R2929 from the U.S. Environmental Protection Agency (EPA) under Contract No. 68-W9-0041. PRC has assigned its subcontractor, Ecology and Environment, Inc. (E & E), to conduct a Preliminary Assessment (PA) of Evergreen Oil Incorporated located in Newark, California. The PA is performed in support of EPA's Environmental Priorities Initiative (EPI) program.

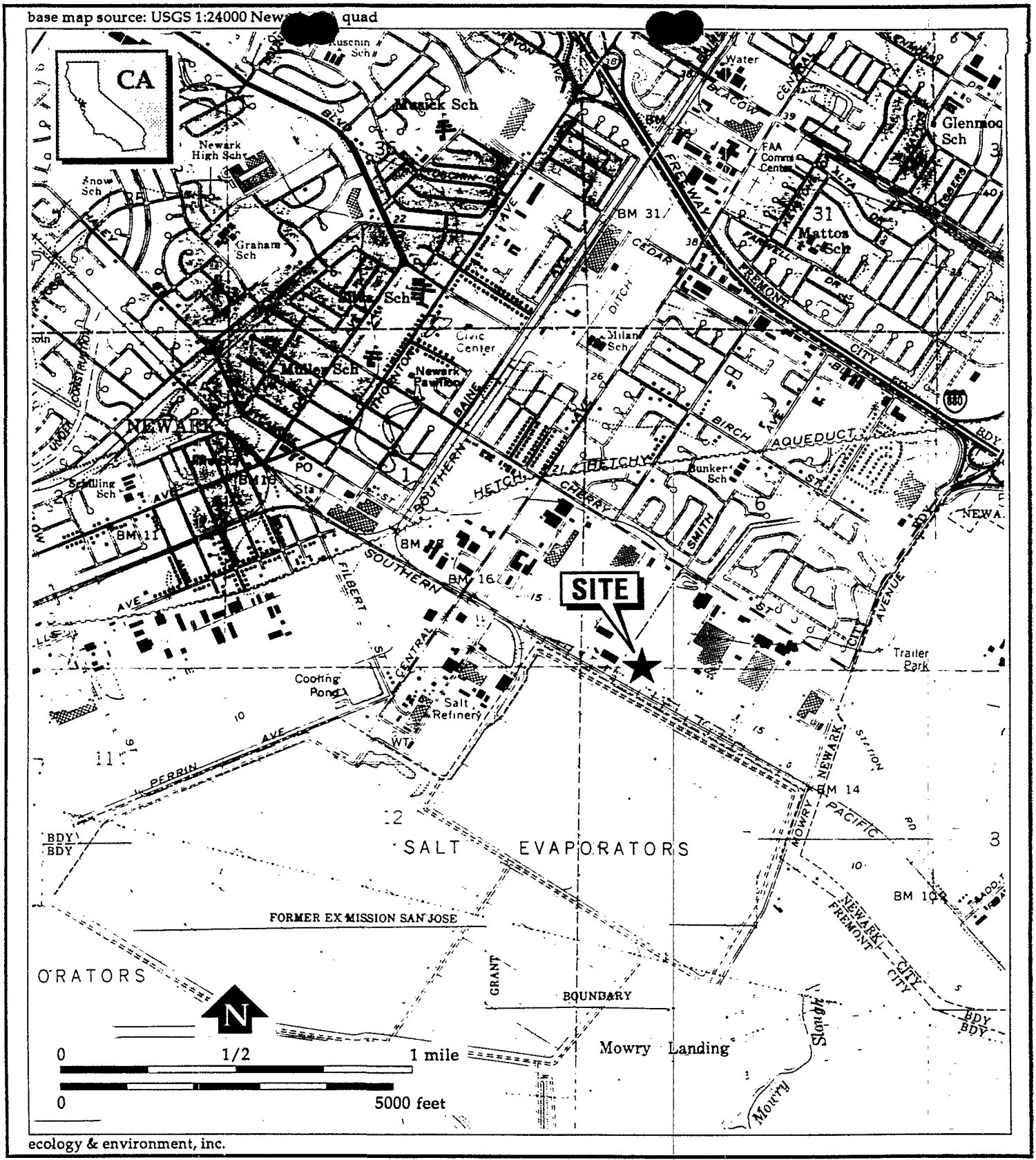
The EPI program integrates the Resource Conservation and Recovery Act of 1976 (RCRA), as amended by the 1984 Hazardous and Solid Waste Amendments (HSWA) with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), in order to set priorities for cleanup of the most environmentally significant sites first.

2.0 SITE DESCRIPTION

2.1 SITE LOCATION AND OWNER/OPERATOR HISTORY

The Evergreen Oil, Incorporated (Evergreen Oil) site is located at 6880 Smith Avenue in Newark, California (see Figure 1, Site Location Map) (T.5 S., R.1 W., sec. 6, Mount Diablo Baseline and Meridian; lat. 37° 31′ 15" N., lon. 122° 1′ 5" W.) (1). The site is located immediately north of salt evaporation ponds that form the margin of San Francisco Bay (1). The properties around the site are primarily industrial with open space to the south (2). There is a school approximately 0.75 miles north of the site and a national wildlife refuge approximately 2 miles southeast of the site (1,3).

Evergreen Oil has been operating at this site since October 1986. Prior to the construction of the facility in 1985, the land was



ecology & environment, inc.

Figure 1

SITE LOCATION

EVERGREEN OIL, INC.

6880 Smith Avenue

Newark, CA

undeveloped. Evergreen Oil currently has approximately 58 employees, of which a maximum of 30 people are on site at any one time (2).

The primary used oil management areas at the facility include the truck off-loading area, tank farm, used oil processing area, oil water separators and a drum storage area (see Figure 2, Facility Map) (2,4).

2.2 FACILITY PROCESSES/WASTE MANAGEMENT

2.2.1 Historical

Prior to the construction of the used oil refining facility in 1986, the land was undeveloped (1,2).

2.2.2 Current

Evergreen Oil stores and refines used lubricating oils. Evergreen Oil also operates a fleet of approximately 30 vehicles (California Environmental Protection Agency registration number 242) that collect used oil from generators throughout the San Francisco Bay region. The transporter, Evergreen Environmental Services (CAD980695761) is a subsidiary of Evergreen Oil (4). In addition, Evergreen Oil accepts used oil from independent haulers. The estimated monthly volume of used oil received by Evergreen Oil for recycling is approximately 1.2 to 1.3 million gallons (5). Evergreen Oil also accepts waste ethylene glycol and transfers it to an off-site treatment facility (4). Evergreen Oil does not store or treat on site any waste ethylene glycol (2).

Prior to accepting a load of used oil from a generator, the oil is tested for total chlorine content. The threshold for rejection of a load of used oil is 1,000 parts per million (ppm) of total chlorine. If the load fails the total chlorine test, it is collected at the point of generation by a separate Evergreen Oil truck and transported for off-site disposal. If the load passes the chlorine test (less than 1,000 ppm), it is then pumped into the truck, commingled with loads from other generators, and transported to the Evergreen Oil facility (5).

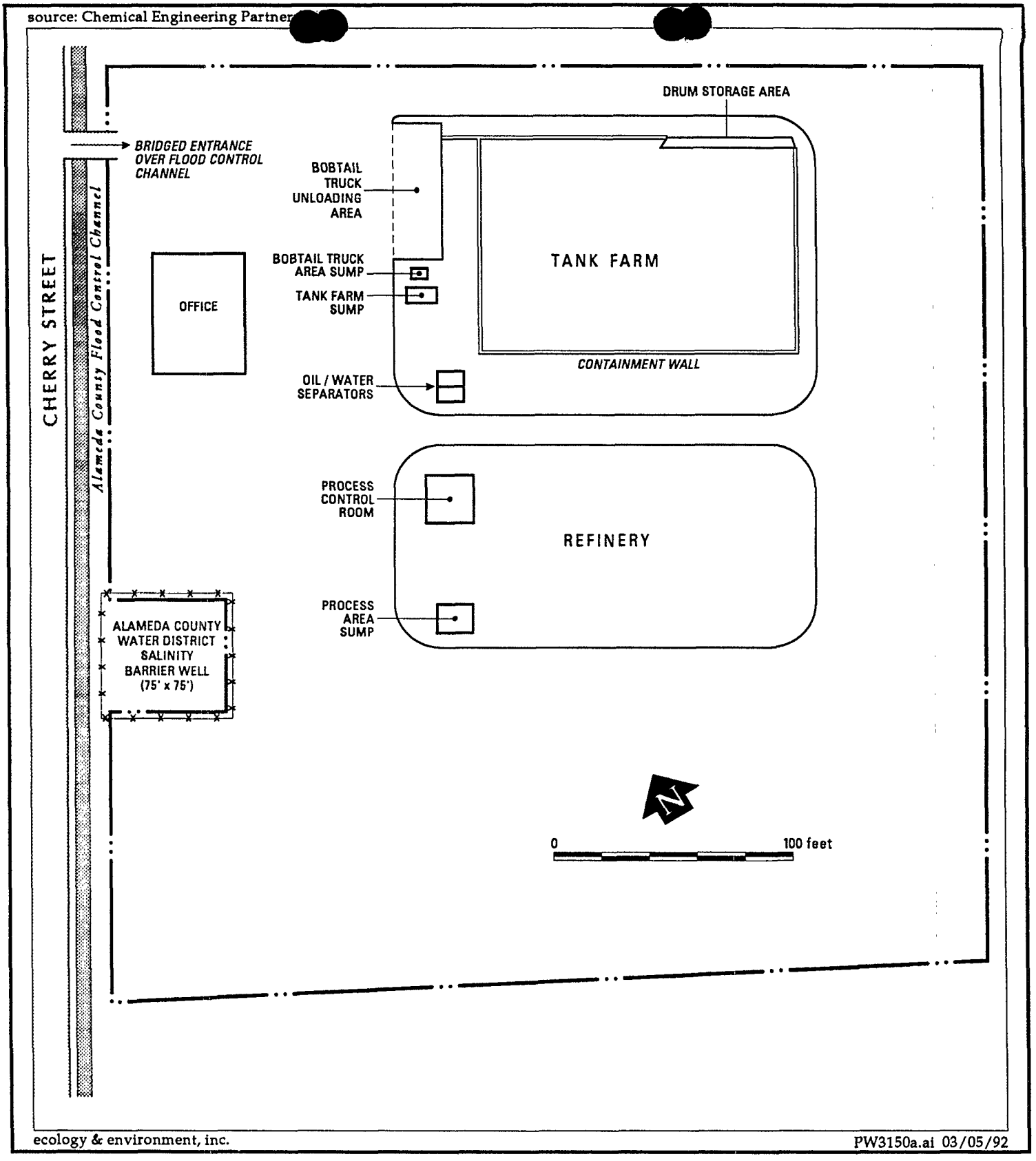


Figure 2

FACILITY MAP

EVERGREEN OIL, INC.

6880 Smith Avenue

Newark, CA

At the Evergreen Oil facility, the composite load of used oil is retested for total chlorine prior to unloading. If the used oil passes the total chlorine test (less than 1,000 ppm), additional oil samples are collected for analysis by Evergreen Oil's in-house laboratory and the oil is pumped into one of five holding tanks which store the used oil until the laboratory analysis is complete. If the sample fails the chlorine test the composite load is transported for off site diposal. The used oil is analyzed for the following parameters: water content; animal fat content; residue fuel content; and polychlorinated biphenyl content. Used oil that is determined by these analyses to be within the operating parameters for recycling is transferred from the holding tanks to a feed tank that supplies the refinery operation (2,5).

The refinery process consists of a series of filtering, mixing, distillation, hydrofinishing, and fractioning steps which produce the following products: gasoil fuel for industrial burners; lube oil distillates for transmission fluid and hydraulic fluid; and asphalt flux for roofing materials. In addition to these products, Evergreen generates the following solid wastes during the refining process: wastewater discharge; light constituents of oil containing solvents and other volatile elements; waste oil contaminated debris; and spent aluminum oxide catalysts (2).

The wastewater discharge is a permitted discharge to a publicly owned treatment works (POTW) (Union Sanitary District). The waste light components are collected by rags in a vessel and are manifested as RCRA hazardous wastes for off-site disposal if that method of disposal is chosen. Otherwise the light components are burned on site at an Evergreen Oil energy recovery unit. Waste oil contaminated debris and spent catalysts are managed as non-RCRA hazardous wastes but are California hazardous wastes (2). These wastes are stored in drums prior to disposal off site by landfilling.

The current processing capacity is 43,000 gallons per day of used oil. Evergreen has proposed to expand the storage and treatment capabilities of the plant to a capacity of 60,000 gallons per day of used

oil (6). This proposal is pending approval by California Environmental Protection Agency Department of Toxic Substance Control (See Section 3.2 below) (43).

3.0 REGULATORY INVOLVEMENT

3.1 U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA)

Evergreen Oil submitted a RCRA Part A Permit Application on October 9, 1990 (7). Evergreen Oil submitted a subsequent RCRA Part A Permit Application along with a notification under the Toxicity Characteristic rule on January 31, 1991 (8). On July 11, 1991, EPA performed a RCRA Compliance Evaluation Inspection. One potential violation of failure to maintain copies of land disposal restriction's waste certification/notification form was noted (5). On September 23, 1991, EPA issued a Warning Letter to Evergreen Oil identifying potential administrative violations. EPA also determined that Evergreen Oil did not conduct activities prior to the effective date of the Toxicity Characteristic rule that would become regulated under the Toxicity Characteristic rule. Therefore Evergreen Oil does not qualify for interim status. EPA considers Evergreen Oil to be only a generator of hazardous wastes and, therefore, Evergreen Oil may not treat or dispose o hazardous wastes on site or store hazardous waste on site for greater than 90 days unless it obtains a permit to do so (9). Toxicity Characteristic Leaching Procedure (TCLP) analyses have not been performed for the used lubricating oils. EPA presently does not perceive Evergreen Oil as taking in or treating RCRA-regulated wastes (44). According to the RCRA database, the Evergreen Oil facility is currently a Transporter and a Treatment, Storage, or Disposal facility (10).

3.2 CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)

Evergreen Oil submitted a final operation plan to DTSC on July 25, 1985 (6). DTSC issued a hazardous waste facility permit (CAX000244046)

to Evergreen Oil on October 10, 1985 (11). Evergreen Oil submitted an updated operation plan for their permit renewal on November 30, 1990 (12). A Notice of Deficiency was sent to Evergreen Oil regarding their updated operation plan (12). The facility is fully permitted and is up for permit renewal (45). DTSC is unaware of any corrective action issues associated with Evergreen Oil (45). A revised updated operation plan was submitted on January 10, 1992 (6).

The facility was inspected on June 24, 1987. No violations of permit conditions were observed; however, several generator violations were observed, mostly involving incorrect labeling (13). A non-RCRA facility inspection was performed on March 22 and March 23, 1990. Violations regarding labeling and training records were observed (4).

On November 22, 1988 Evergreen Oil requested DTSC permission to modify their hazardous waste permit to include ethylene glycol, oil-water separation liquids, oil tank bottom wastes, other unspecified oil-containing wastes, hydrocarbon solvents, and halogenated solvents. Evergreen specifically asked to receive, store, and treat the above-listed wastes except for halogenated solvents which would only be stored on site (14). There is no record of this request for modification being approved at this time; however, a later inspection report refers to a variance for the storage of ethylene glycol being issued on August 24, 1988 (4). That variance was rescinded and a new variance to store and treat ethylene glycol wastes was issued on September 19, 1990 (15). On November 30, 1990 Evergreen Oil again requested to modify their hazardous waste permit to include halogenated solvents and hydrocarbon solvents (16). Evergreen Oil dropped their proposal to handle, store, and treat halogenated and hydrocarbon solvents in their revised updated operation plan (6).

3.3 CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (RWQCB)

Evergreen Oil is not listed with the RWQCB as a site that has discharged contaminants to the groundwater (17). The RWQCB waived the requirement for a NPDES permit for the Evergreen Oil facility in 1983

(18). RWQCB has since informed Union Sanitary District that the rainfall runoff and washwater from the Evergreen Oil facility is unacceptable for discharge to the flood control channel (28).

3.4 BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD)

Evergreen Oil has Permits To Operate from BAAQMD for 33 sources and nine abatement devices. Sources include tanks, loading and off-loading facilities, hydrogen finishing unit, heaters and boilers, and the water treatment system. Abatement devices include carbon adsorption systems, carbon filters, flue gas scrubbers, and a carbon permanganate system (19). Violations have been issued by BAAQMD for releases in violation of permit conditions.

3.5 OTHER AGENCY INVOLVEMENT

The Newark Fire Department maintains files on this site and is responsible for implementing the City of Newark's hazardous materials storage ordinance and other hazardous material regulations. The Fire Department responds mostly to odor complaints (20,21).

Union Sanitary District maintains files on this site and is responsible for regulating sites under the Clean Water Act as well as monitoring pretreatment programs. Evergreen Oil has a permit to discharge wastewater to the Union Sanitary District. The permit is reauthorized on an annual basis (22,23).

Evergreen Oil has been consistently out of compliance with their permit conditions on multiple occasions (23). Union Sanitary District issued an Administrative Order to Evergreen Oil on October 1, 1991 for non-notification of significant changes, unauthorized modifications, and non-compliance with permit conditions regarding the concentration of chlorinated organics in Evergreen Oil's discharged wastewater (24). This administrative order is being upgraded to a cease and desist order that will prevent Evergreen Oil from discharging surface runoff water to Union Sanitary District (23).

4.0 DESCRIPTIONS OF INDIVIDUAL SOLID WASTE MANAGEMENT UNITS

Distinct Solid Waste Management Units (SWMU) have been identified to evaluate potential on-site sources, types, and quantities of releases to air, surface water, groundwater, and soil. A SWMU is defined as any discernible waste management unit at a facility from which hazardous constituents might migrate, irrespective of whether the unit was intended for the management of solid and/or hazardous waste. As a result of this Preliminary Assessment, E & E has identified five significant SWMUs at the site. Additional SWMUs may exist.

Used lubricating oils that are refined on site are not managed as RCRA hazardous wastes. The used lubricating oils may have hazardous constituents that would cause them to be hazardous wastes; however, this determination cannot be made because TCLP analyses have not been performed on the used oils. EPA presently does not perceive Evergreen Oil as taking in or treating RCRA regulated wastes (44).

Ethylene glycol is not stored or refined on site at this time. There are no plans to store halogenated or hydrocarbon solvents at this time (2).

4.1 TRUCK OFF-LOADING AREA

Unit Description: Trucks that collect used oil from the generators are emptied in this unit. Comingled loads of used lubricating oil are pumped into storage tanks prior to re-refining (see Figure 2) (2). This unit is paved with concrete, is sloped, and has a curbed area of 4,950 square feet. Wastes received from off site are not stored in this unit for longer than 96 hours (2).

Date of Start-up: The truck off-loading area first began operating in October 1986 (2).

Date of Closure: This unit is currently in operation (2).

Waste Managed: Used lubricating oils are pumped from the trucks and are placed in tanks prior to processing (2).

Release Controls: The truck off-loading area is paved with concrete and sloped and curbed. The paved area slopes to a drain system which connects to a sump tank (900 gallons) located in a concrete secondary containment vault (6,350 gallons). The contents of the sump tank can be pumped to the oil water separator. There is also a load rack containment vault (21,000 gallons) to contain a major spill in the off-loading area and to contain a spill if the off-loading sump tank overflows (6).

History of Releases: The truck off-loading has no known history of releases. No sampling has been conducted with regard to this unit (2).

4.2 TANK FARM

Unit Description: Used lubricating oil is stored in storage tanks prior to re-refining. In addition, re-refined products are stored in the tank farm (2). All tanks are above ground tanks. There are a total of 24 tanks in the tank farm, ranging in size from 10,000 to 200,000 gallons (6). Wastes received from off site may be stored in this unit for longer than 96 hours prior to refining, especially during shutdown (2).

Date of Start-up: The tank farm began operating in October 1986 (2).

Date of Closure: The tank farm is currently in operation (2).

Waste Managed: Used lubricating oils are stored in tanks prior to processing (2).

Release Controls: The tank farm is surrounded by a 2.66-foot wall, containing an area of 28,700 square feet. The tank farm is capable of containing a major tank failure (200,000 gallons) plus the precipitation from a 25-year, 24-hour storm event. The tank farm is equipped with an underground drain system for handling precipitation collected within the

tank farm. All underground lines have secondary containment consisting of oil-resistant polyethylene (6). The runoff collected in the drain lines flows via gravity to a sump tank (1,200 gallons) located in a concrete secondary containment vault (7,950 gallons) where it eventually is processed in the oil-water separator (6).

History of Releases: One air release is associated with an asphalt flux tank that ignited and exploded in October 1986 (25). No sampling has been conducted with regard to this unit.

4.3 REFINERY

Unit Description: Used oils are refined into components for sale to vendors as described in Section 2.2.2. Gasoline and other light components are separated from the used oil and are either used in an on-site waste-to-energy recovery unit as fuel or shipped off site to be burned as fuel for a cement kiln incinerator (2). Wastes received from off site are being treated in this unit.

Date of Start-up: The refinery began operating in October 1986 (2).

Date of Closure: The refinery is currently in operation (2).

Waste Managed: Used lubricating oils are processed in this unit. The waste volatile component of the used lubricating oil which is not being converted into product is burned as fuel (2).

Release Controls: The refinery is graded and curbed in a manner similar to the truck unloading area. Runoff is collected by stormwater inlets and is contained in a containment vault (21,000 gallons) which allows the facility to use that water as emergency firefighting water. This sump would also contain water generated while fighting a fire in the refinery area (6).

History of Releases: The refinery has no known history of releases. No sampling has been conducted with regard to this unit (2)

4.4 DRUM STORAGE AREA

Unit Description: Waste oil contaminated debris and aluminum oxide catalysts are generated as hazardous wastes at the facility and are stored within a portion of the tank farm (2). The area used for drum storage is approximately 900 square feet, is paved with concrete, and is not covered (2,6).

This unit does not appear to be RCRA regulated. The waste oil-contaminated debris is not kept on site for greater than 90 days (2). The spent aluminum oxide catalysts are not managed as a RCRA hazardous waste (2). It is not known if TCLP analyses have been performed for either of these wastestreams.

Date of Start-up: The drum storage area began operating in October 1986 (2).

Date of Closure: The drum storage area is currently in operation (2).

Waste Managed: Waste oil-contaminated debris and aluminum oxide catalysts are stored in drums prior to disposal off site. Approximately 400 drums of waste oil-contaminated debris are generated on an annual basis. Approximately 120 drums of spent aluminum oxide catalysts are generated on an annual basis (2).

Release Controls: The drum storage area is located in the tank farm and has identical release controls (2,6).

History of Releases: The drum storage area has no known history of releases. No sampling has been conducted with regard to this unit (2).

4.5 OIL-WATER SEPARATORS

Unit Description: Used lubricating oil mixed with runoff water from the various SWMUs is stored in sumps prior to separation by the oil-water separators. There are two oil water separators, one that discharges the

water component to the sanitary sewer system and one that historically discharged the water component to the stormwater sewer system. Currently water is not discharged to the stormwater sewer system but is kept on-site and used as process water (26). The other oil-water separator continues to discharge to the sanitary sewer system (2). The oil component from both separators is returned to the tank farm for reprocessing (2,6,26).

Sources of runoff water to the stormwater oil-water separator include the tank farm sump, truck off-loading wash down sump, load rack containment device, and process area containment device (6). The source for the sanitary oil-water separator is the refinery process water.

Date of Start-up: The oil-water separators began operating in October 1986 (2).

Date of Closure: The oil-water separators are currently in operation (2).

Waste Managed: Used lubricating oils mixed with water are stored in tanks sumps prior to separating (2).

Release Controls: Both oil-water separators are surrounded by a single concrete secondary sump. According to the Operation Plan, the oil-water separators and the secondary containment sump are inspected daily (6).

History of Releases: One release from this unit to the Alameda County Flood Control channel occurred in the Fall of 1988. Approximately 25 gallons of used oil was released to the channel during a storm event when the channel backed-up into the stormwater oil-water separator. This caused the oil-water separator to overflow and discharge its contents to the channel. As a result of this incident, Evergreen Oil discontinued the practice of discharging separated water to the channel (27). No sampling has been conducted with regard to this unit (27).

4.6 AREAS OF CONCERN

4.6.1 Stormwater Runoff

The Alameda County Flood Control channel had been the outfall for water processed through the stormwater oil-water separator for a period of approximately 2 years (27). The RWQCB determined in 1990 that this water contained higher pollutant concentrations than normal urban runoff and was not acceptable for discharge to the flood control channel (28). This channel is unlined, currently serves as aquatic habitat, and eventually leads to San Francisco Bay (see Section 5.2) (1,2,29).

4.6.2 On-Site Thermal Treatment of Volatile Organic Compounds

Separation and eventual combustion of gasoline and other light components from the used lubricating oil by Evergreen Oil may be an unpermitted treatment or disposal practice (2).

5.0 CORRECTIVE ACTION (CA) CONSIDERATIONS

Corrective Action criteria are used to assess the relative threat associated with actual or potential releases of hazardous substances from sites. These criteria represent the principal mechanism EPA uses to determine if corrective action is necessary and if so, the priority for implementing corrective action. E & E has evaluated the following factors relative to this site.

5.1 GROUNDWATER PATHWAY

Evergreen Oil lies within the Niles Cone subarea of the South Bay Groundwater Basin, where net annual precipitation is estimated to be -26 inches per year (30,31). The principal water-bearing formation is the Quartenary Alluvium (30). The three uppermost substantial aquifers in the Niles Cone subarea are the Newark, Centerville, and Fremont aquifers. The Newark aquifer is an extensive gravel layer lying between 60 and 140 feet bgs (30). The Centerville aquifer is encountered from approximately

180 feet bgs to 200 feet bgs; the Fremont aquifer is encountered from approximately 310 feet bgs to 340 feet bgs. All of these aquifers are separated by interbedded clay layers of low permeability (30). Overlying the Newark aquifer is the Newark aquitard, which significantly impedes downward movement of groundwater to the underlying aquifers (30). There are no known discontinuities of the Newark aquitard within 2 miles of the site (30).

The Newark aquifer is the main conductor of salt water eastward from San Francisco Bay, which is located approximately 3 miles to the southwest of the site. The Alameda County Water District is proposing to use its Newark aquifer wells, one of which is located at the Evergreen Oil site (see Figure 2), to extract groundwater and pump it back into San Francisco Bay. This will prevent salt water from rushing into the Newark aquifer at times of low head (30,32). An additional geological feature of concern in the site vicinity is the Hayward fault, located approximately 3.5 miles northeast of the site. The Hayward fault crosses the upper portion of the Niles Cone, forming an effective barrier to the lateral movement of groundwater (33).

There are two domestic wells located within 1 mile of the Evergreen Oil site; both are located approximately 0.75 miles northeast of Evergreen Oil (34). It is not known if these wells are currently used for drinking water; a November 1982 listing of wells from Alameda County Water District did not list these wells as abandoned (34). Both of these wells are screened in the Newark aquifer (34). It is not known if there are any other active domestic wells at a distance of greater than 1 mile from the site.

There are no municipal well fields within 3 miles of the site. The nearest municipal well field is located approximately 3.5 miles north of the site and immediately west of the Hayward fault (35).

5.2 SURFACE WATER PATHWAY

The land surrounding the site is primarily industial to the east,

west, and north, and salt water evaporation ponds to the south (2). The site is covered either with buildings or with extensive paved process areas; however, a portion of the property around the perimeter of the tank farm and refinery is unpaved (2). The 1-year, 24-hour rainfall at the site is 2.0 inches (36). The site is located above the 500-year flood plain and has a minimal flood potential (37). The channel located at the southern border of the site can contain the runoff from the 100-year storm (37). There are no known drinking water or irrigation intakes for this channel, Mowry Slough, or San Francisco Bay (1,29).

Along the eastern side of Smith Avenue is an Alameda County Flood Control channel that connects the adjacent salt water evaporation ponds, operated by Leslie Salt Company, with Mowry Slough approximately 1 mile downstream. Mowry Slough meanders to the west until it reaches San Francisco Bay, approximately 7 miles downstream from Evergreen (1,29). Mowry Slough is part of the San Francisco Bay National Wildlife Refuge and is used for light recreational fishing. Mowry Slough supports sensitive aquatic habitats, including pupping areas for harbor seals and habitat for federally endangered species, including California clapper rails (Rallus longirostris obsoletus) and California brown pelicans (Pelecanus occidentalis californicus). The area around Mowry Slough also supports a federally endangered terrestrial species, the salt marsh harvest mouse (Reithrodontomys raviventris) (38,39,40,41). All three of these species have been sighted in the Mowry Slough area (39,40,41).

5.3 SOIL EXPOSURE AND AIR PATHWAY

Portions of the Evergreen Oil site are not completely paved; however, these areas are outside of the areas where hazardous substances are routinely handled (2). The facility is completely fenced including an entrance gate at Smith Avenue (2). The gate remains open during normal business hours and is kept closed during off during the evening and night shifts. The facility operates 24 hours a day, 7 days a week (6).

Air releases from fires, permitted sources, and fugitive emission

sources have been documented for the site. An asphalt storage tank ignited and exploded in 1986 (25). The Newark Fire Department regularly receives complaints regarding odors from the facility (20,21). The total number of people employed for all shifts, including drivers, is approximately 58, of which a maximum of 30 people are on site at any one time (2). The total population within 4 miles of the Evergreen Oil facility is estimated to be 118,919 (42). The nearest residence is approximately 1,600 feet northeast (1,2). The nearest terrestrial habitat of concern is the Alameda striped racer habitat located 0.5 mile southeast of the Evergreen Oil facility (1,38).

6.0 SUMMARY OF INVESTIGATIVE ACTIVITIES

6.1 AGENCIES CONTACTED

E & E contacted the following agencies during the course of this investigation: DTSC, Alameda County Water District, United States Department of the Interior Fish and Wildlife Service, City of Newark Development Services Group and Fire Department, BAAQMD, Union Sanitary District, RWQCB, and Alameda County Department of Environmental Health. Information from these agencies is presented throughout this report.

6.2 RECONNAISSANCE OBSERVATIONS

E & E personnel Peter M. Geiger and Karen Johnson conducted a site reconnaissance visit and interview on February 18, 1992. E & E interviewed the following Evergreen Oil facility representatives at this time: Jane Burns, Environmental Manager and Curtis Morgan, President. The Evergreen Oil facility representatives provided an overview of facility processes and waste management practices, then guided E & E on a tour of the management areas (2).

Information gathered during the site reconnaissance is presented throughout this report. For additional information, refer to the Site Reconnaissance Interview and Observations Report in Appendix A and the

photographs in Appendix B.

Surface water runoff, mixed with oil, was overflowing from a primary containment sump (bobtail truck unloading sump) and had entered the secondary containment vault.

7.0 EMERGENCY RESPONSE CONSIDERATIONS

The National Contingency Plan [40 CFR 300.415(b)(2)] authorizes the Environmental Protection Agency to consider emergency response actions at those sites which pose an imminent threat to human health or the environment. For the following reasons a referral to Region IX's Emergency Response Section does not appear to be necessary (2):

- The site appears to be adequately secured from public access with a locked fence and a 24-hour presence of facility personnel and
- DTSC regularly inspects the facility.

8.0 SUMMARY OF CORRECTIVE ACTION CONSIDERATIONS

The Evergreen Oil, Inc. facility is a 3.5 acre facility located in Newark, California. The facility operations consist of receiving used lubricating oils and re-refining them into products that are sold to vendors. The facility also generates hazardous wastes in the form of volatile components (used as fuel), waste oil contaminated debris, and spent aluminum oxide catalysts (2). No waste disposal occurs on site (2).

Evergreen is a state-permitted Hazardous Waste Storage Facility and has submitted their updated Operation Plan to the California Department of Toxic Substances Control (6,11).

The California Department of Toxic Substances Control (DTSC) has had in-depth involvement with the site historically (4). DTSC conducts routine inspections at the Evergreen Oil facility to monitor compliance with its hazardous waste storage facility permit (4).

The following are significant Corrective Action and environmental setting factors associated with the Evergreen facility:

- Groundwater within 3 miles of the site is not known to be used for drinking water;
- The used oil has not been analyzed by the Toxicity Characteristic Leaching Procedure;
- There has been a documented release to surface water of used oil and surface water flows into the San Francisco Bay National Wildlife Refuge;
- The site appears to be adequately secured from public access with a locked fence and a 24-hour presence of facility personnel; and
- California Department of Toxic Substance Control regularly inspects the facility.

9.0 EPA RECOMMENDATION

	Initial	Date
No Further Remedial Action Planned under CERCLA		
Higher-Priority SI under CERCLA		
Lower-Priority SI under CERCLA		
Defer to Other Authority (e.g., RCRA, TSCA, NRC)	[illegible]	3.31.92

Notes:

10.0 REFERENCES

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2. Geiger, Peter M., Ecology and Environment, Inc. (E & E), Site Reconnaissance Interview and Observations Report, Evergreen Oil, Inc. site, February 18, 1992.

3. U.S. Fish and Wildlife Service, Environmental Assessment, "Potential Additions to San Francisco Bay National Wildlife Refuge," March 1990.

4. California Department of Health Services (DHS) Department of Toxic Substance Control (DTSC), Inspection Report, Evergreen Oil, Inc., April 20, 1990.

5. U.S. Environmental Protection Agency (EPA), Resource Conservation and Recovery Act (RCRA) Compliance Evaluation Inspection Report, July 11, 1991.

6. Evergreen Oil, Inc., Operation Plan, May 9, 1985 (revised July 25, 1985; updated January 10, 1992).

7. Evergreen Oil, Inc., (EPA ID# CAD9890887418) RCRA Hazardous Waste Permit Application, Part A, October 9, 1990.

8. Evergreen Oil, Inc., (EPA ID# CAD9890887418) RCRA Hazardous Waste Permit Application, Part A, January 31, 1991.

9. Schwinn, Karen, Chief, Waste Compliance Branch, U.S. EPA, letter to Curtis E. Morgan, President. Evergreen Oil, Inc., September 23, 1991.

10. RCRA Database, October 16, 1991.

11. DHS, "Hazardous Waste Facility Permit," Evergreen Oil, Inc. October 11, 1985.

12. James, Michael R., Chief, Facility Permitting Branch, DHS DTSC, letter to Curtis E. Morgan, President, Evergreen Oil, Inc. (not dated).

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17. California Regional Water Quality Control Board (RWQCB), List of Toxic Chemical Release Sites, September 7, 1990.

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20. Bretschneider, Jackie, Newark Fire Department, and Peter M. Geiger, E & E, telephone conversation, February 4, 1992.

21. Bretschneider, Jackie, Newark Fire Department, and Peter M. Geiger, E & E, personal interview and file review, February 18, 1992.

22. Zanardi, Gary, Union Sanitary District, and Peter M. Geiger, E & E, telephone conversation, January 30, 1992.

23. Zanardi, Gary, and Herbert Schott, Union Sanitary District, and Peter M. Geiger, E & E, personal interview and file review, February 18, 1992.

24. Schott, Herbert N., Technical Services Manager, Union Sanitary District, letter to Curtis Morgan, President, Evergreen Oil, Inc., October 1, 1991

25. Laskey, Virginia, DHS, record of communication to Erwin Koehler, DHS, October 27, 1986.

26. Burns, Jane, Environmental Manager, Evergreen Oil, Inc., and Peter M. Geiger, E & E, telephone conversation, February 24, 1992.

27. Evergreen Oil, Inc., RCRA Facility Questionaire, January 10, 1992.

28. Hill, Stephen A., Section Leader, RWQCB, letter to Herbert Schott, Union Sanitary District, September 20, 1990.

29. U.S. Geological Survey, map of Mountain View, 7.5-minute quadrangle, 1961 (photorevised 1981).

30. California Department of Water Resources, "Bulletin No. 118-1, Evaluation of Groundwater Resources, South Bay, Volume I: Fremont Study Area," August 1978.

31. U.S. Department of Commerce. Environmental Science Services Administration, Environmental Data Services. Climatic Atlas of the United States, June 1968. Reprinted by the National Oceanic and Atmospheric Administration. 1983.

32. Ireland, Kurt, Alameda County Water District, and Peter M. Geiger, E & E, telephone conversation, January 11, 1990.

33. Reynolds, Jim, Associate Engineer, Alameda County Water District, and Peter M. Geiger, E & E, telephone conversations, December 11, 1989 and January 2, 1990.

34. Duerig, G. F. (Jill), Division Engineer, Alameda County Water District, and Peter M. Geiger, E & E, telephone conversation, December 11, 1989 and well data review December 13, 1989.

35. Alameda County Water District, map of Water Supply Facilities.

36. U.S. Department of Commerce Weather Bureau, Cooperative Studies, Hydrological Services Division. Rainfall Frequency Atlas of the United States for Durations from 30 Minutes to 24 Hours and Return Periods from 1 to 100 Years. Technical Paper No. 40. Washington D.C. GPO, 1961.

37. Wolbertus, Will, City of Newark, Engineering Section, Development Services Group, and Peter M. Geiger, E & E, telephone conversation, January 17, 1990.

38. U.S. Fish and Wildlife Service, Pacific Coast Ecological Inventory, 1981.

39. Banks, Tom, Park Ranger and Kevin Foerster, Wildlife Biologist, U.S. Fish and Wildlife Service, San Francisco Bay National Wildlife Refuge, and Peter M. Geiger, E & E, telephone conversation, January 8, 1990.

40. Takekawa, Jean, Wildlife Biologist, U.S. Fish and Wildlife Service, San Francisco Bay National Wildlife Refuge, and Peter M. Geiger, E & E, telephone conversation, February 14, 1992.

41. California Department of Fish and Game, Natural Diversity Data Base (Rarefind), Newark Quadrangle, April 19, 1991.

42. U.S. EPA, Office of Toxic Substances, Graphical Exposure Modeling System, March 1989.

43. Morgan, Curtis, Evergreen Oil, letter to Mike James, DTSC, August 20, 1991.

44. Kuefler, Patrick, EPA, RCRA Compliance Section, and Peter M. Geiger, E & E, telephone conversation, March 4, 1992.

45. Lee, Daisy, DTSC, Permitting Section, and Karen Johnson, E & E, telephone conversation, November 12, 1991.

APPENDIX A

CONTACT LOG AND REPORTS

CONTACT LOG

Facility Name: Evergreen Oil, Inc.
Facility ID: CAD980887418

Name	Affiliation	Phone #	Date	Information
Jim Reynolds Jill Duerig	Alameda County Water District	415/659-1970	12/11/89	See Contact Report.
Jim Reynolds	Alameda County Water District	415/659-1970	1/2/90	See Contact Report.
Tom Banks Kevin Foerster	USF&W SF Bay NWR	415/792-0222	1/8/90	See Contact Report.
Kurt Ireland	Alameda County Water District	415/659-1970	1/11/90	See Contact Report.
Will Wolbertus	City of Newark	415/790-7261	1/17/90	See Contact Report.
Daisy Lee	DTSC-Permits	510/540-3933	11/12/91	See Contact Report.
John Swanson	BAAQMD-Permits	415/749-4735	1/30/92	See Contact Report.
Gary Zanardi	Union Sanitary District	510/790-0100	1/30/92	See Contact Report.
Jane Burns	Evergreen Oil	510/795-4400	2/4/92	Recon scheduled for 2/18/92 at 9:00 am.
Jackie Bretschneider	Newark Fire Department	510/790-7218	2/4/92	See Contact Report.
Tom Peacock	Alameda County	510/271-4320	2/10/92	See Contact Report.
Jean Takekawa	USF&W SF Bay NWR	510/792-0222	2/14/92	See Contact Report.
Jane Burns Curtis Morgan	Evergreen Oil	510/795-4400	2/18/92	See Site Reconnaissance Interview and Observations Report.

pmg/ever/clcr

CONTACT LOG

Facility Name: Evergreen Oil, Inc.
Facility ID: CAD980887418

Name	Affiliation	Phone #	Date	Information
Jackie Bretschneider	Newark Fire Department	510/790-7218	2/18/92	See Contact Report.
Gary Zanardi Herbert Schott	Union Sanitary District	510/790-0100	2/18/92	See Contact Report.
Jane Burns	Evergreen Oil	510/795-4400	2/24/92	See Contact Report.
Pat Kuefler	U.S. EPA	415/744-2144	3/4/92	See Contact Report.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Alameda County Water District (ACWD)		
DEPARTMENT: Groundwater Resources		
ADDRESS/CITY: 43885 South Grimmer Blvd/Fremont		
COUNTY/STATE/ZIP: Alameda/CA 94537		
CONTACT(S)	**TITLE**	**PHONE**
1. Jim Reynolds	Associate Engineer	415/659-1970
2. Jill Duerig	Division Engineer	415/659-1970
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 12/11/89
SUBJECT: Groundwater Use Information		
SITE NAME: Evergreen Oil*		**EPA ID#:** CAD980887418

1) No production wells are located in the immediate vicinity of the Peterbilt site. All production wells are located within four miles of the Peterbilt site. (The Evergreen Oil site is within 0.25 mile of the Peterbilt site.) Approximately 20 potable wells supply 50% of the ACWD water supply; the rest is surface water from the Hetch Hetchy system (25%) and the South Bay Aqueduct (25%). Residences in Fremont may have dual systems.

2) The Peterbilt site is located in the Niles Cone Groundwater Subbasin of the South Bay Groundwater Basin.

3) Saltwater Intrusion is known to occur in the first aquifer.

4) Domestic well data available for review; Jill Duerig is the staff member in charge of domestic well data.

5) Newark Fire Department should have records of all groundwater activities. Peterbilt has undergone a site closure.

Domestic Well Data Review 12/13/89:

1) Well data for specific township, range, and sections were reviewed to determine if there are any domestic wells within 4 miles of the Peterbilt site. Maps were also provided showing well locations in 1959 (the last year of a thorough survey) as well as locations of ACWD production wells. Field notes were taken.

* This contact report was originally made for the Peterbilt Motors site (CAD009120734).

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Alameda County Water District (ACWD)		
DEPARTMENT: Groundwater Resources		
ADDRESS/CITY: 43885 South Grimmer Boulevard/Fremont		
COUNTY/STATE/ZIP: Alameda/CA 94537		
CONTACT(S)	**TITLE**	**PHONE**
1. Jim Reynolds	Associate Engineer	415/659-1970
2.		ext. 412
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/2/90
SUBJECT: ACWD Production Wells		
SITE NAME: Evergreen Oil*		**EPA ID#:** CAD980887418

1) Well fields west of the Hayward fault include the Mowry Well Field and the Peralta Well. The Mowry Well Field has two wells screened in the Newark aquifer. The Peralta Well is also screened in the Newark Aquifer.

2) Well fields east of the Hayward fault include the Peralta-Tyson Well Field, the Nursery Well, and the Whipple Well. These wells are effectively isolated from any contamination site located to the west of the Hayward fault.

3) Production of groundwater accounts for approximately 50% of all potable water serving a population of 258,000 in the service area.

4) Approximately 50% of groundwater production occurs from the west side of the Hayward Fault.

5) There are a total of seven active wells located on the west side of the Hayward fault; of these, three are screened in the Newark aquifer.

6) Approximately 25% of all potable groundwater is sourced in the Mowry Well Field.

7) (3/7)*(0.5)*(0.5)*258,000 = 27,643 = approximate population served by the production wells located to the west of the Hayward fault and screened in the Newark aquifer.

* This contact report was originally made for the Peterbilt Motors site (CAD009120734).

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: U.S. Department of the Interior, Fish & Wildlife Service		
DEPARTMENT: San Francisco Bay National Wildlife Refuge		
ADDRESS/CITY: 1 Marsh Land Road/Fremont		
COUNTY/STATE/ZIP: Alameda/CA 94536		
CONTACT(S)	**TITLE**	**PHONE**
1. Tom Banks	Park Ranger	415/792-0222
2. Kevin Foster	Wildlife Biologist	415/792-0222
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/8/90
SUBJECT: Aquatic and Terrestrial Habitats in the S.F. Bay Nat. Wildlife Ref.		
SITE NAME: Evergreen Oil*		**EPA ID#:** CAD980887418

1) California Clapper Rails have been sighted in Mowry Slough, all the way up towards the evaporation ponds.

2) Mowry Slough also serves as a pupping area for harbor seals. The pupping area is located approximately 0.5 mile inland, near the first big bend in Mowry Slough.

3) California Brown Pelicans have been sighted in Mowry Slough.

4) Saltmarsh harvest mice is known to exist in the vicinity of Mowry Slough.

5) Occasional light recreational fishing occurs in the Slough; however, most fishing occurs in the Bay near the Dumbarton Bridge.

6) Neither Tom nor Kevin were familiar with the Alameda Striped Racer habitat located in the vicinity of the Peterbilt site.

* This contact report was originally made for the Peterbilt Motors site (CAD009120734).

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Alameda County Water District (ACWD)		
DEPARTMENT: Salinity Barrier Project		
ADDRESS/CITY: 43885 South Grimmer Boulevard/Fremont		
COUNTY/STATE/ZIP: Alameda/CA 94537		
CONTACT(S)	**TITLE**	**PHONE**
1. Kurt Ireland		415/659-1970
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/11/90
SUBJECT: Extraction of Saltwater from the Groundwater		
SITE NAME: Evergreen Oil*		**EPA ID#:** CAD980887418

1) The nearest salinity barrier wells will be located north of the Peterbilt site on Smith Road and south of the site at Sun Microsystems. (The Evergreen Oil site is within 0.25 mile of the Peterbilt site.)

2) Extracted groundwater will be returned to the Bay.

3) The main purpose of the extraction wells is to prevent saltwater from rushing in to the Newark aquifer during periods of low "head".

* This contact report was originally made for the Peterbilt Motors site (CAD009120734).

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: City of Newark, Development Services Group		
DEPARTMENT: Engineering Section		
ADDRESS/CITY: 37101 Newark Blvd./Newark		
COUNTY/STATE/ZIP: Alameda/CA 94560		
CONTACT(S)	**TITLE**	**PHONE**
1. Will Wolbertus	Engineer	415/790-7261
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/17/90
SUBJECT: Flood Plain Information		
SITE NAME: Evergreen Oil*		**EPA ID#:** CAD980887418

1) According to the FEMA Map 0-6-009005A (September 30, 1988) the channel at the southern border of the Peterbilt site can completely contain a 100-year storm event. Therefore, the Peterbilt site has been assigned a C-Zone rating.

   A-Zone = 100-year flood plain

   B-Zone = 500-year flood plain

   C-Zone = minimum flood potential

   (This is the same flood channel that runs along Smith Road and is adjacent to Evergreen Oil).

* This contact report was originally made for the Peterbilt Motors site (CAD009120734).

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: California Department of Toxic Substances Control		
DEPARTMENT: Permitting Section		
ADDRESS/CITY: 2151 Berkeley Way, Annex 9, Berkeley, CA 94704		
COUNTY/STATE/ZIP: Alameda County		
CONTACT(S)	**TITLE**	**PHONE**
1. Daisy Lee	Permitting Officer	510/540-3933
2.		
E & E PERSON MAKING CONTACT: Karen Johnson		**DATE:** 11/12/91
SUBJECT: RCRA Status		
SITE NAME: Evergreen Oil, Inc.		**EPA ID#:** CAD980887418

Ms. Lee is the Permitting Officer for Evergreen Oil. She stated that the facility was RCRA-regulated under the TCLP rule because it accepts, stores and treats waste oil. The facility also has a permit waiver to store ethylene glycol.

The facility is fully-permitted and is up for permit renewal. It submitted a revised Part B in December 1990. In this new Part B, the facility proposed several changes to its operations, including receiving and storing halogenated solvents and receiving, storing, and treating waste oil, ethylene glycol, and hydrocarbon solvents. Ms. Lee sent the facility a Notice of Deficiency for the Part B in May 1991 and has not looked into the facility since then. She stated that the facility intends to submit a revised Part B in January 1992 in which it may drop some of the proposed operational changes.

When asked if she was aware of any contamination problems at the site, Ms. Lee responded that she was unaware of any corrective action issues in the file. She directed me to contact Doris Cruz in the file room (X3800) to set up an appointment to look at the file.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Bay Area Air Quality Management District		
DEPARTMENT: Permit Services Division		
ADDRESS/CITY: 939 Ellis Street, San Francisco		
COUNTY/STATE/ZIP: San Francisco, California 94109		
CONTACT(S)	**TITLE**	**PHONE**
1. John A. Swanson	Director	415/771-6000
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/30/92
SUBJECT: Status of Air Permits		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) Permits to operate have been issued to Evergreen Oil.

2) A list of permits, permit conditions, and notices of violation since startup will be sent to P.M. Geiger early next week.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Union Sanitary District		
DEPARTMENT: Fremont Office		
ADDRESS/CITY: 37532 Dusterberry Way, Fremont		
COUNTY/STATE/ZIP: Alameda, California 94536		
CONTACT(S)	**TITLE**	**PHONE**
1. Gary Zanardi	Environ. Compliance Super.	510/790-0100
2.		510/795-0483 FAX
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 1/30/92
SUBJECT: Status of Wastewater Discharge Permit		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) Evergreen is a significant violator of their permit conditions. Evergreen has been issued an administrative order with a final compliance deadline of April 1, 1992.

2) Compliance history is available on a year-to-year basis from the annual reports, except for the past year (1991), which is available only up to the last quarterly report.

3) Send a letter of introduction in order to access files.

4) The adjacent channel is a man-made flood control channel.

5) Evergreen received a NPDES permit waiver from RWQCB. This waiver was revoked. Evergreen is prohibited from discharging stormwater to the waters of the State or Union Sanitary District.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: City of Newark Fire Department		
DEPARTMENT: Hazardous Materials Bureau		
ADDRESS/CITY: 37101 Newark Blvd., Newark		
COUNTY/STATE/ZIP: Alameda, California 94560-3796		
CONTACT(S)	**TITLE**	**PHONE**
1. Jacqueline Bretschneider	Coordinator	510/790-7254
2.		510/745-9972 FAX
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/4/92
SUBJECT: Status of Fire Department's Involvement		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) Newark Fire Department maintains files on Evergreen including such documents as:

   - o Hazardous Material Management Plan;
   - o Part B Operation Plan;
   - o Inspection and Incident Reports;
   - o Hazardous Material Inventory; and
   - o Emergency Contingency Plan.

2) The major problems associated with the facility are odor complaints from the residents on Cherry Street. Odors are usually associated with mercaptans.

3) Send a letter of introduction and a letter specifying the documents to review.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Alameda County Dept. of Environmental Health		
DEPARTMENT: Hazardous Material Management Section		
ADDRESS/CITY: 80 Swan Way, Oakland		
COUNTY/STATE/ZIP: Alameda, California 94621		
CONTACT(S)	**TITLE**	**PHONE**
1. Tom Peacock	Supervisory Haz. Mat. Spec.	510/271-4320
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/4/92
SUBJECT: Alameda County's Involvement at the site		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) In order to access files for review, a letter must be sent to Ed Howell, Chief, Hazardous Material Management Section.

2) File access fees are $71.00 per hour to gather the files. There is no photocopy services offered by the county.

3) There is no staff assigned to this TSD facility based upon a memorandum of understanding with Cal-EPA. Alameda County merely receives carbon-copy correspondence.

4) Alameda County does not have an M.O.U. with Union Sanitary District.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: U.S. Department of the Interior		
DEPARTMENT: Fish and Wildlife Service		
ADDRESS/CITY: 1 Marshlands Road, Fremont		
COUNTY/STATE/ZIP: Alameda, California 94536		
CONTACT(S)	**TITLE**	**PHONE**
1. Jean Takekawa	Wildlife Biologist	510/792-0222
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/14/92
SUBJECT: Sensitive Species in SF Bay Wildlife Refuge		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) Jean will send to E & E a refuge boundry map.

2) Mowry Slough is still used as a pupping ground for Harbour seals. The pupping ground has moved slightly bayward.

3) California clapper rails have used areas north and south of Mowry Slough as their habitats; however, their occurrence has severely declined due to predation by non-native Red foxes.

4) The area around Mowry Slough is a possible feeding habitat for Least terns. This area also supports occasional Brown pelican use.

5) This area is also habitat for the Saltmarsh harvest mouse and Saltmarsh wandering shrew. Snowy plovers use the salt pond levies. Snowy plovers are proposed as threatened.

6) Other waterfowl winter uses include Puddle duck and Canvas back duck.

7) Lots of raptor use occurs, including Perigrene falcon preying on shorebirds and use by Northern harriers, Red-tailed hawks, Short-eared owls, and Great horned owls.

pmg/ever/clcr

SITE RECONNAISSANCE INTERVIEW AND OBSERVATIONS REPORT

Ecology and Environment, Inc.		
160 Spear Street, Suite 1400		
San Francisco, California 94105		
(415) 777-2811		
E & E PERSON(S) CONDUCTING INTERVIEW:		
Peter M. Geiger and Karen Johnson		
FACILITY REPRESENTATIVE(S):	**TITLE:**	**PHONE:**
Jane Burns	Environmental Manager	510/795-4400
Curtis Morgan	President	510/795-4400
SITE NAME: Evergreen Oil, Inc.		**DATE:** 2/18/92
CITY/STATE: Newark, California		**EPA ID#:** CAD980887418

The following information was obtained during the interview:

The Evergreen Oil, Incorporated (Evergreen Oil) facility is located at 6880 Smith Avenue in Newark, California. The facility is owned by Evergreen Oil and is situated on a 7-acre site. The facility collects used lubricating oils from 6,000 generators using a fleet of 30 Evergreen Oil trucks. The facility refines used lubricating oils and produces four products through the refining process. The facility operates 24-hours each day and seven days each week. The total number of people employed for all shifts, including drivers is approximately 58 people, of which a maximum of 30 people are on-site at any one time.

A review of the refining process was presented by Jane Burns. The first step in the process removes any water and light aromatics by thermal evaporation. The water is separated from the light aromatics by gravity separation. The water is pretreated prior to discharge to the Union Sanitary Sewer District. The light aromatics are collected and either burned as fuel for an on-site waste-to-energy burner or are shipped off site to Systec for disposal (cement kiln fuel) as hazardous waste (F001, F002, and flashpoint). The amount of light aromatics generated for off-site disposal is less than 5,000 gallons per month. This material is sent off site approximately three times a year.

Diesel and gas oil fuels are subsequently removed from the de-watered used oil by vacuum distillation. These fuels are sold to off-site vendors.

mpg/ever/sr

Dirt, polymers and heavy metals are separated from the lube oil by thin-film evaporation. The residue from the thin-film evaporation, called asphalt flux, is sold to off-site vendors for use in making asphalt roofing shingles and other products. According to Jane Burns, the metals are tightly held in the asphalt flux and do not leach out; therefore, the flux would not be considered a hazardous waste. No data regarding the analysis by the toxic characteristic leaching procedure (TCLP) of the asphalt flux was available for review.

The lube oil fraction is further processed by being brought into contact with pure hydrogen gas (hydrofinishing) to remove sulfur impurities. The lube oil is then split into two separate base oils by fractionation and is sold to off-site vendors.

Solid wastes generated by the facility which are not managed as RCRA hazardous wastes but are California hazardous wastes include spent aluminum oxide catalysts and waste oil contaminated debris. Both waste streams are landfilled at Kettleman Hills. The amount of spent catalyst material generated is approximately 30 drums per changeout. Changeout occurs a maximum of four times per year. Oily debris is generated at a rate of approximately 400 drums per year and are stored on site for less than 90 days.

Janes Burns did not know how small quantity wastes from the on-site laboratory were handled. She will ask Bill Rondeau, laboratory manager, for this information.

Evergreen Oil had one historic release incident in 1988 of oily water directly entering the adjacent flood control channel. This spill was cleaned up by Evergreen personnel. The spill occurred when storm water runoff from the flood control channel backed-up into the oil-water separator, which historically discharged water to the flood control channel. This caused the sump containing the oil-water separator to overflow and discharge its contents into the flood control channel. Approximately 20 gallons was discharged to the flood control channel.

Ethylene glycol is not stored here. There are no plans for recycling used solvents.

The depth to groundwater is 49 feet below ground surface; however, perched water has been encountered at a depth of 6 feet below ground surface. All underground piping, which amounts to approximately five percent of the total piping at the facility, has secondary containment with visual inspection of the interstitial space.

The following observations were made during the site reconnaissance:

The flood water control channel had water in it and waterfowl (egret and ducks) were observed using the channel.

The sumps for holding rainwater runoff from each of the following areas were partially full of oily water: bobtail truck unloading area; tank

farm; and process area. The oily water from all three of these sumps is pumped to the oil-water separator for processing. The bobtail truck unloading area sump appeared to be innundated and was overflowing into its secondary containment sump. Curt Morgan apologized for the apparent lack of attention for monitoring the status of this sump. Both Curt and Jane stated that the reconnaissance could not have come at a worse time due to the recent heavy rains and the fact that the refinery was shut down for catalyst change out.

The drum storage area is a part of the tank farm and uses the same secondary containment. The drum storage area is not covered and all runoff water would be mixed with the tank farm runoff water for processing in the oil-water separator.

According to Jane Burns rainwater from the parking lot and access roads is discharged to the channel after the inlet plugs are removed after a check for visible oil sheen. Evergreen Oil is currently preparing a non-point source discharge permit for stormwater runoff. No inlet plugs were observed to be in use at the time of the reconnaissance.

mpg/ever/sr

CONTACT REPORT

AGENCY/AFFILIATION: Newark Fire Department		
DEPARTMENT: Hazardous Materials Bureau		
ADDRESS/CITY: 37101 Newark Blvd. Newark		
COUNTY/STATE/ZIP: Alameda, California 94560-3796		
CONTACT(S)	**TITLE**	**PHONE**
1. Jacqueline Bretschneider	Coordinator	510/790-7254
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/18/92
SUBJECT: Personal Interview and File Review		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) The Fire Department's role is to implement: federal, state, county, and city hazardous material regulations; the local hazardous material storage ordinance; the city fire code; and Chapter 6.95 of the California Health and Safety Code, including SARA Title III.

2) The Fire Department is also implementing the non-point source stormwater discharge regulations for the City of Newark as part of its overall stormwater management plan.

3) Evergreen last updated their hazardous material management plan (HMMP) on May 1, 1990.

4) The Fire Department is mostly concerned with odor problems and non-point source fugitive emissions.

Files were reviewed regarding the HMMP; correspondence and inspections; and fire safety.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Union Sanitary District (USD)		
DEPARTMENT: Fremont Office		
ADDRESS/CITY: 37532 Dusterberry Way, Fremont		
COUNTY/STATE/ZIP: Alameda/CA 94536		
CONTACT(S)	**TITLE**	**PHONE**
1. Gary A. Zanardi	Environ. Compliance	510/790-0100
2. Herbert N. Schott	Technical Services	510/790-0100
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/18/92
SUBJECT: Personal Interview and File and Document Review		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) USD's role is to regulate sites under the Clean Water Act and to monitor pretreatment programs.

2) Evergreen Oil is considered a Significant Industrial User (SIU).

3) Evergreen Oil is currently operating under an administrative order. This order is being upgraded to a cease and desist order.

4) USD approves all discharge permits annually.

5) Evergreen Oil has been cited most often for non-notification of significant changes as well as unauthorized modifications.

6) There is no record of the 1988 discharge to the Alameda County Flood Control channel.

7) Evergreen Oil will lose its right to discharge surface run-off water and will have to truck it off site after the cease and desist order is enacted.

8) Files were reviewed and copies of the administrative order, annual compliance summary sheets, and selected correspondence were obtained.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: Evergreen Oil		
DEPARTMENT:		
ADDRESS/CITY: 6880 Smith Avenue, Newark		
COUNTY/STATE/ZIP: Alameda/CA 94560		
CONTACT(S)	**TITLE**	**PHONE**
1. Jane Burns	Environmental Manager	510/795-4400
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 2/24/92
SUBJECT: Stormwater runoff and laboratory wastes		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) The laboratory generates approximately 1 gallon per month of waste acids and solvents. These are sent out in a lab pack once a year.

2) Rainwater is used as makeup process water in the plant, after the oil has been separated.

3) Evergreen Oil stopped discharging rainwater to the flood control channel in the summer of 1990. Evergreen stopped discharging rainwater to the sanitary sewer and began using it as process water in the fall of 1991.

pmg/ever/clcr

CONTACT REPORT

AGENCY/AFFILIATION: EPA/Hazardous Waste Management Division		
DEPARTMENT: RCRA Compliance		
ADDRESS/CITY: 75 Hawthorne Street, San Francisco		
COUNTY/STATE/ZIP: San Francisco, CA 94105		
CONTACT(S)	**TITLE**	**PHONE**
1. Patrick Kuefler	Environmental Scientist	415/744-2144
2.		
E & E PERSON MAKING CONTACT: Peter M. Geiger		**DATE:** 3/4/92
SUBJECT: Regulatory Status		
SITE NAME: Evergreen Oil		**EPA ID#:** CAD980887418

1) EPA has had no further discussions with Evergreen Oil regarding their regulatory status.

2) EPA's position is that Evergreen Oil is not taking in RCRA-regulated wastes and is not eligible for interim status.

3) Evergreen Oil has not presented a formal explanation to EPA to establish their eligibility for interim status.

pmg/ever/clcr

APPENDIX B

PHOTODOCUMENTATION

FIELD PHOTOGRAPHY LOG SHEET

DATE: 2/18/92

TIME: 8:54 AM

DIRECTION:

Southwest

WEATHER:

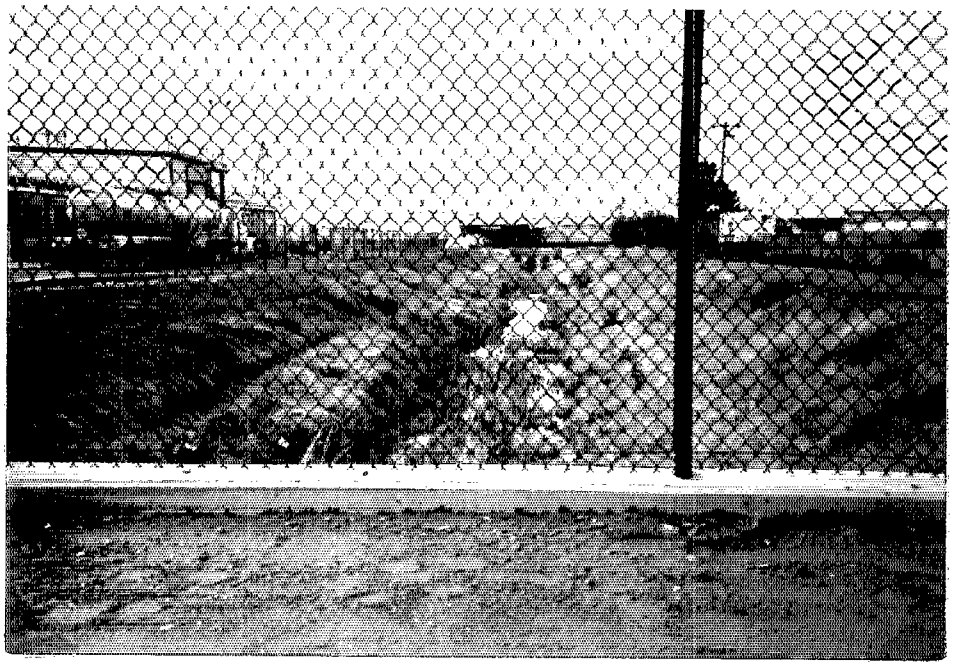
Overcast

PHOTOGRAPHED BY:

K. Johnson

SAMPLE ID#:

N.A.



DESCRIPTION: Alameda County Flood Control Channel. Evergreen Oil facility is to the right.

DATE: 2/18/92

TIME 8:55 AM

DIRECTION:

Northeast

WEATHER:

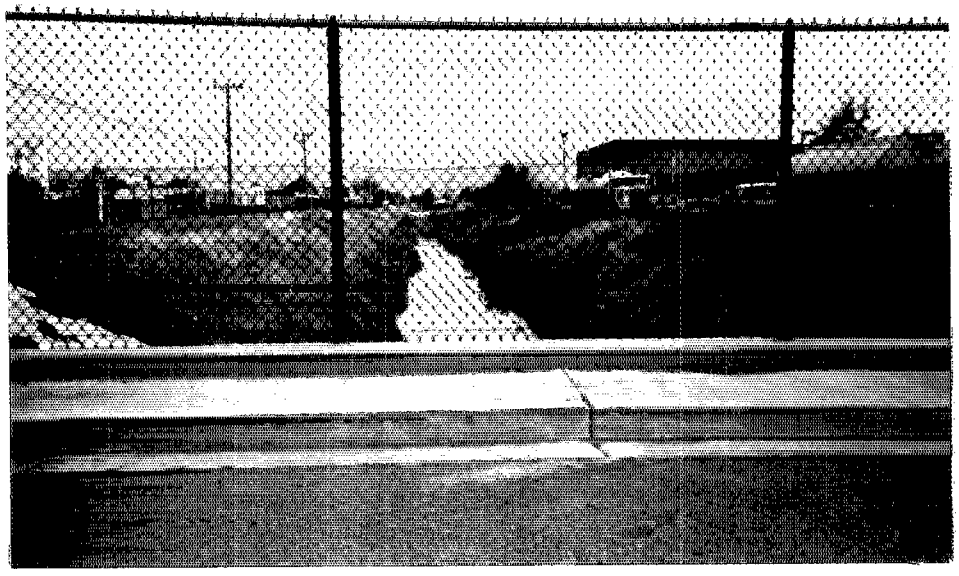
Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.



DESCRIPTION: Alameda County Flood Control Channel with ducks.

pmg/ever/fpls

FIELD PHOTOGRAPHY LOG SHEET

DATE: 2/18/92

TIME: 10:25 AM

DIRECTION:

North

WEATHER:

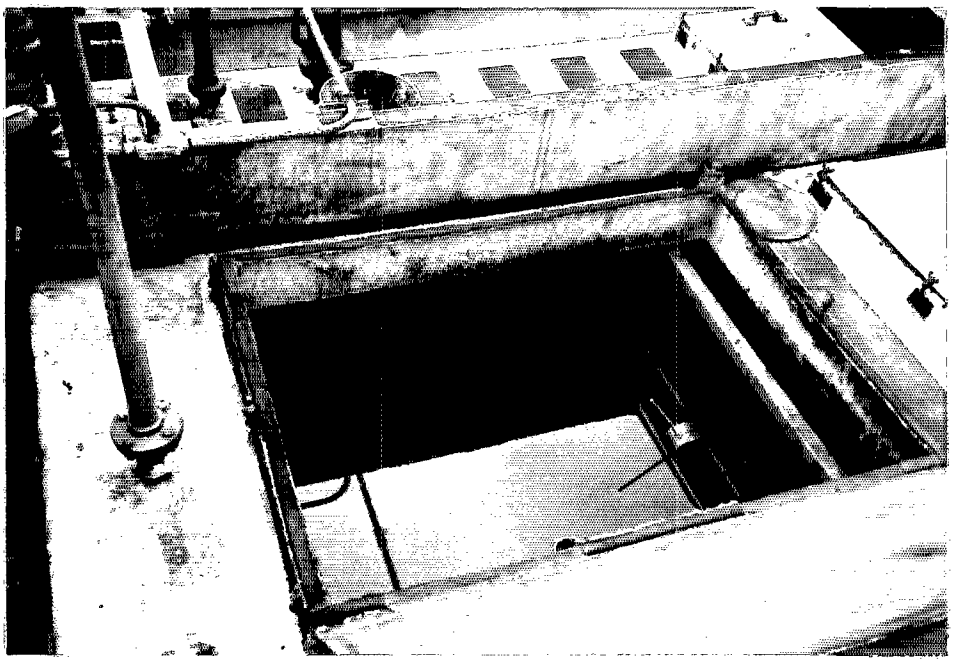
Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.



DESCRIPTION: Oil-water separator, showing oil-water interface.

DATE: 2/18/92

TIME: 10:29 AM

DIRECTION:

Northeast

WEATHER:

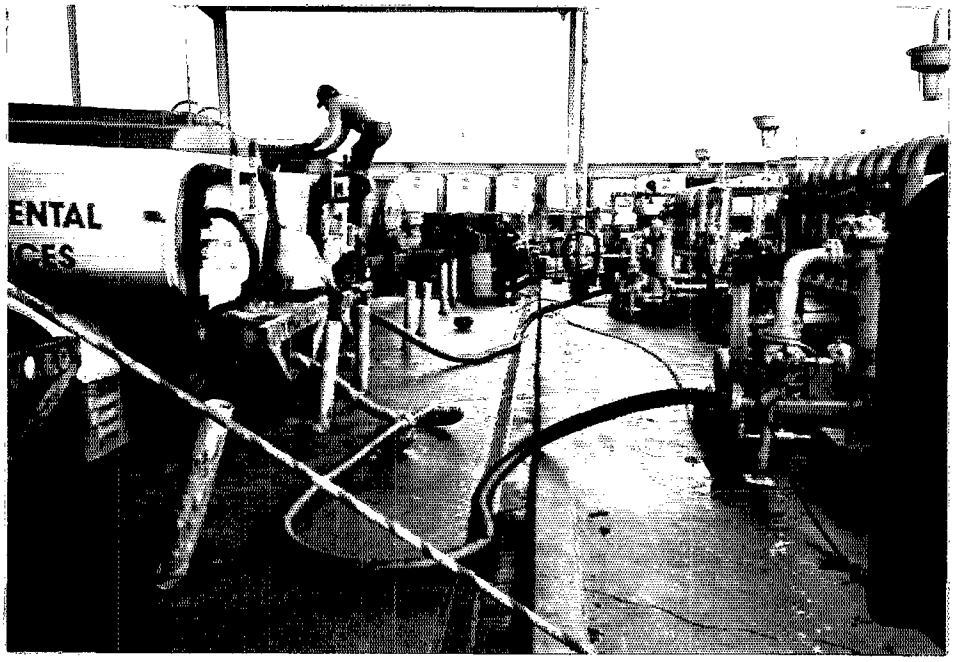
Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.



DESCRIPTION: Bobtail truck unloading area. Pumps at the right pump used oil into the tank farm. Note curb and blind sump along length of unloading area.

pmg/ever/fpls

FIELD PHOTOGRAPHY LOG SHEET

DATE: 2/18/92

TIME: 10:32 AM

DIRECTION:

Northwest

WEATHER:

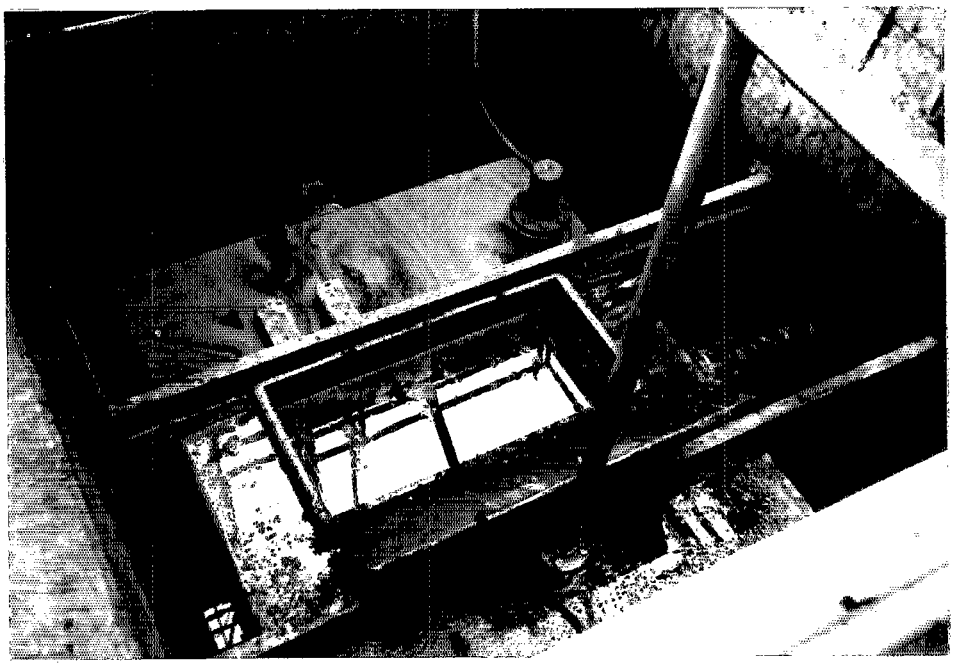
Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.



DESCRIPTION: Catch basin for runoff diverted by the blind sump in the bobtail unloading area. The contents of this sump will be pumped to the oil-water separator.

DATE: 2/18/92

TIME: 10:39 AM

DIRECTION:

Northeast

WEATHER:

Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.

DESCRIPTION: Tank farm. Note secondary containment and polyethylene lining under the tanks. Asphalt flux tanks are on the right. Diesel fuel tanks are on the left.

pmg/ever/fpls

FIELD PHOTOGRAPHY LOG SHEET

DATE: 2/18/92

TIME: 10:43 AM

DIRECTION:

West

WEATHER:

Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.

DESCRIPTION: Process area stormwater sump. Note oil layer on the left. The liquid will eventually be pumped to the oil-water separator.

DATE: 2/18/92

TIME: 10:48 AM

DIRECTION:

Southwest

WEATHER:

Overcast

PHOTOGRAPHED BY:

P.M. Geiger

SAMPLE ID#:

N.A.

DESCRIPTION: Drummed oily debris storage area in tank farm. Note accumulation labels on some of the drums.

pmg/ever/fpls

ENVIRONMENTAL ASSESSMENT

POTENTIAL ADDITIONS TO

SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE

ALAMEDA, SAN MATEO, AND SANTA CLARA COUNTIES, CALIFORNIA

PREPARED BY

U.S. DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

REGION 1, PORTLAND, OREGON

MARCH 1990

3

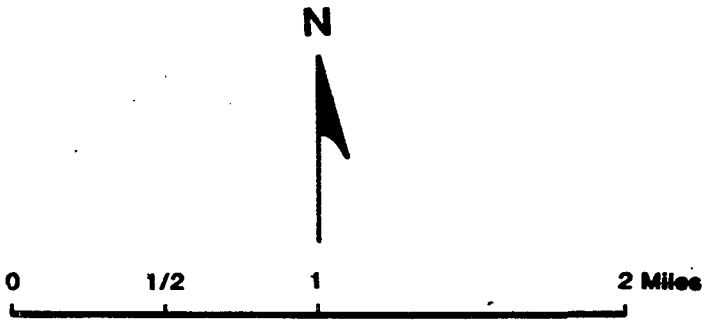
Author: Jack Helvie, Wildlife Biologist Portland, Oregon (503) 231-2232

Cover Art by: Sue Macias

APPENDIX D

SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE POTENTIAL ADDITIONS

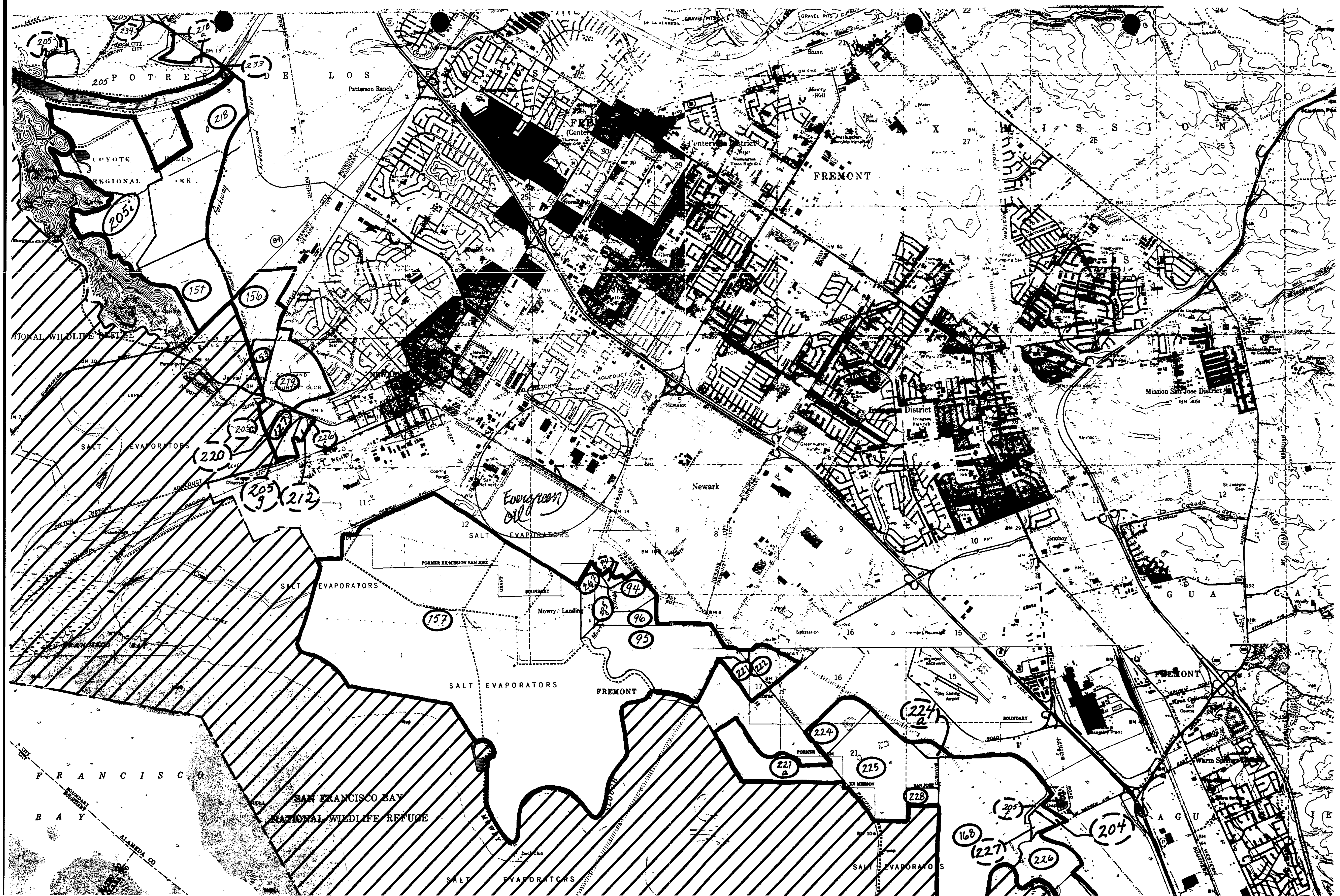
MARCH 1990



LEGEND

- Existing Approved Area
- Potential Additions
- (151) Tract Number

OWNERSHIP INFORMATION AND PROPERTY LINES ARE BASED ON COUNTY ASSESSOR MAPS AND RELATED INFORMATION. USE ONLY FOR REFERENCE.


205
234
UNION CITY
FREMONT CITY
218 a
BM 13
233
205 P O T R E R O D E L O S C E R R I T O S
Patterson Ranch
218
Ardenwood Blvd
COYOTE HILLS REGIONAL PARK
205i
Parkway
FREMONT NEWARK
CITY BOUNDARY
NEWARK
151
156
153
GOLF AND COUNTRY CLUB
219
Jarvis Landing
NATIONAL WILDLIFE REFUGE
DUMBARTON
BM 10
BM 34
BM 7
BM 6
THORNTON
127
205c
226 c
220
SALT EVAPORATORS
AQUEDUCT
Sewage Disposal
205 g
212
HETCH HETCHY
SOUTHERN PACIFIC
Cooling Pond
Salt Refinery
Evergreen Oil
Trailer Park
Newark
12
SALT EVAPORATORS
FORMER EX-MISSION SAN JOSE
GRANT BOUNDARY
Mowry Landing
157
267
94
205
96
95
SALT EVAPORATORS
FREMONT
221
222
17
224
221 a
225
228
SAN FRANCISCO BAY
NATIONAL WILDLIFE REFUGE
F R A N C I S C O
B A Y
CITY BOUNDARY
ALAMEDA CO
Duck Club
SALT EVAPORATORS
DE LA ALAMEDA
GRAVEL PITS
Shinn
Monty Well
Tule Pond
Washington Township Hospital
Centerville District
Washington Union High Sch
FREMONT
X M I S S I O N
MISSION
Irvington District
Irvington High Sch
Mission San Jose District
Sisters of St Dominic Convent
St Josephs Cem
Canada del Aliso
DURHAM ROAD
Snoboy
WARM SPRINGS BLVD
G U A C A L
Fremont Raceways
FREMONT RACEWAYS
Sky Sailing Airport
BOUNDARY
Assembly Plant
FREMONT
Agua Caliente Golf Course
Warm Springs District
224 a
205
204
168
227
226
A G U A

STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY
GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF HEALTH SERVICES
TOXIC SUBSTANCES CONTROL PROGRAM
2151 BERKELEY WAY, ANNEX 9
BERKELEY, CA 94704

INSPECTION REPORT

EVERGREEN OIL, INC. and
EVERGREEN ENVIRONMENTAL SERVICES
6880 Smith Avenue
Newark, CA 94560
(415) 795-4400
EPA ID#: CAD980887418 (EOI)
EPA ID#: CAD980695761 (EES)

4

Inspected by: Gregory Grunner

Dates of Inspection: March 21 & 22, 1990
Date of Report: April 20, 1990

I. Purpose

Scheduled Non-RCRA Non-Major Facility Inspection.

II. Representatives Present

Evergreen Oil/Evergreen Environmental Services:
Susan Keene, Environmental Manager
Todd Hutcheon, Operations Superintendent
Kirk Hayward, Vice-President

Alameda County Department of Environmental Health:
Tom Peacock, Senior Hazardous Materials Specialist

Department of Health Services/TSCP:
Gregory Grunner, Hazardous Materials Specialist
Richard Stewart, Hazardous Materials Specialist
Patricia Payne, Senior Hazardous Materials Specialist

III. Owner/Operator

Evergreen Holdings, located in Irvine, California, owns both Evergreen Oil, Inc. (EOI) and Evergreen Environmental Services (EES). EES is a transporter subsidiary of EOI.

IV. Background

According to Department of Health Services (Department) records, on October 10, 1985, the Department issued a Hazardous Waste Facility Permit to EOI for a waste oil recycling facility. The facility began operating and treating waste oil in 1986. EES, a registered hazardous waste hauler (DHS registration # 242), picks up waste oil and waste ethylene glycol (antifreeze) from small generators throughout northern California and transports them to the EOI/EES facility.

EOI EES

On October 16-20 and December 17-20, 1986, EOI was shut down by the City of Newark Fire Department as a result of complaints of odors coming from the sanitary sewer vents of neighboring facilities. On October 26, 1986, an explosion and fire occurred in EOI's asphalt flux tank. On October 29, EOI submitted an incident report to the Department which stated that the fire was caused by the ignition of flammable vapors by static electricity. On November 18, 1986, EOI submitted an addendum report describing the actions taken to correct the problems which may have caused the explosion.

On June 24, 1987, the Department conducted a facility inspection of EOI. The inspection revealed three violations of Title 22 of the California Code of Regulations concerning the failure of EOI to properly label containers of hazardous waste. A Report of Violation and Schedule for Compliance listing these violations was sent to EOI on September 3, 1987.

On August 24, 1988, the Department granted a Variance to EOI that permitted the facility to accept waste ethylene glycol in addition to waste oil.

V. General Description of Facility

The EOI/EES facility is located in an industrially-zoned area within the City of Newark in Alameda County. The property is bounded on all sides by other commercial and industrial facilities. See attachment 1 for a map of the EOI/EES facility.

The EOI/EES complex consists of one main building, several mobile temporary offices, and a large process area. The main building at the north end of the property contains administrative offices, an analytical lab, and a truck repair shop. The process area includes a bobtail and semi-trailer tanker truck off-loading area, an extensive tank farm area, a waste oil recycling refinery, and a small bermed generator drum storage area which contains both hazardous wastes and chemical product materials.

VI. Hazardous Waste Activity Description

According to the EOI Operation Plan, the facility receives, stores, and reprocesses used lubricating oils. According to Susan Keene, EOI also accepts waste ethylene glycol and transfers it by tanker truck to an off-site treatment facility within 144 hours, in accordance with the Variance granted by the Department.

EES is a registered hazardous waste hauler that operates 36 bobtail and semi-trailer tanker trucks stationed at the EOI/EES facility and at six off-site transfer stations located in Davis, Fresno, Redding, Ripon, Santa Maria, and Vallejo, California. EES transports used motor oil and waste ethylene glycol from small generators throughout northern California to the EOI/EES Newark facility for recycling or transfer. EES also does business under the name of California Oil Recyclers, Inc.

After waste oil is analytically tested in the in-house laboratory for the absence of hydrocarbon solvents, halogenated hydrocarbon compounds, and polychlorinated biphenyls (PCBs), it is pumped out from EES-owned or other tanker trucks. If sufficient levels of solvents, halogenated hydrocarbon compounds, or PCBs are detected in the incoming oil, the entire load is pumped to a stationary tank (tank 502) and then later pumped to another tanker truck and transferred to an off-site facility for treatment. Waste oil that is accepted for recycling is re-refined through a series of filtering, mixing, distillation, hydrofinishing, and fractionating steps.

The waste oil recycling process creates two weights of high-grade lubricating oils; a fuel-grade oil used for energy recovery; an asphalt flux used for the manufacture of roofing material; and hazardous wastes in the form of oily filter debris, spent aluminum oxide catalyst, and smaller quantities of miscellaneous wastes.

The oily filter debris is accumulated in 55-gallon drums and in a sheet metal box inside and near the filter cleaning area. Filled drums of oily filter debris or of other hazardous wastes are transferred by forklift to a bermed generator drum storage area located within the tank farm at the southeast corner of the facility (attachment 2: photos 14 & 15). When sufficient hazardous wastes have been accumulated, they are then shipped off-site by Chemical Waste Management, Inc. to their Kettleman Hills land disposal facility. Oily filter debris wastes are solidified before transportation by being mixed with a powdered rice hull ash. This is done either by hand with a shovel inside individual 55-gallon drums or with a small powered cement mixer directly on the floor of the drum storage area.

VII. Violations

EOI Violations:

1. California Health and Safety Code (H&SC), section 25123.3 (a)(3); Title 22, California Code of Regulations (Cal. Code Regs.), sections 66532 (a) and 66374 (a); Hazardous Waste Facility Permit number CAX000244046 (Permit) part II, section B and part III, section B.3.

EOI violated H&SC, section 25123.3 (a)(3); Title 22, Cal. Code Regs., sections 66532 (a) and 66374 (a); Permit part II, section B and part III, section B.3., in that on or about March 21, 1990, EOI, an off-site facility, stored and handled a hazardous waste not authorized in the EOI Hazardous Waste Facility Permit in containers or tanks.

Susan Keene stated that when EOI receives waste oil contaminated with greater that 1000 parts per million (ppm) halogenated hydrocarbon compounds, EOI pumps out the entire load of hazardous waste into a stationary tank (tank 502) and then later pumps the load to another tanker truck and transfers it to an off-site facility for treatment. According to EOI's manifest records, waste oil contaminated with greater that 1000 ppm halogenated hydrocarbon compounds have been transferred off-site in this manner at least 47 times between October 5, 1989 and March 31, 1990. The EOI Hazardous Waste Facility Permit, Operation Plan, and August 24, 1988 Variance permit EOI to accept, store, and treat only waste oil and waste ethylene glycol.

2. H&SC, section 25123.3 (d)(4); Title 22, Cal. Code Regs., section 66508 (a)(1)-(3).

EOI violated H&SC, section 25123.3 (d)(4) and Title 22, Cal. Code Regs., section 66508 (a)(1)-(3), in that on or about March 21, 1990, EOI failed to (1) adequately label all containers used for the satellite accumulation of hazardous waste with the initial date of accumulation and with the words "Hazardous Waste" or other words that clearly identify the contents of the container and (2) adequately label all nonstationary containers of hazardous waste with the date of accumulation; the words, "Hazardous Waste"; the composition and physical state of the waste; a statement which calls attention to the particular hazardous properties of the waste; and the name and address of the person producing the waste.

Satellite Accumulation:

Visual inspection revealed that one 55-gallon drum containing waste oil stored in the main building garage and one 55-gallon drum containing waste oil contaminated trash stored in the bobtail off-loading area were not labeled with accumulation dates (attachment 2: photos 1 & 2). Visual inspection also revealed that one 55-gallon drum containing waste oil and four 5-gallon containers containing waste oil and waste oil sludge stored in the bobtail off-loading area and four 5-gallon containers and one sheet metal box containing waste oil and oily filter debris stored in or and near the filter cleaning area were not affixed with any type of label (attachment 2: photos 2, 4, 5, 6, & 7).

Generator Storage:

Visual inspection revealed that two 55-gallon drums containing waste oil and oily filter debris stored in the drum storage area were not labeled with accumulation dates; 68 55-gallon drums containing waste oil and oily filter debris waste stored in the drum storage area were not labeled with a statement which identified the hazardous property of the waste and the name and address of the person producing the waste; and seven 55-gallon drums containing waste oil and oily filter debris or waste oil and water stored in the drum storage area were not affixed with any type of label (attachment 2: photos 18, 19, 20, 25, 26, 27, & 28).

3. H&SC, section 25123.3 (d)(6); Title 22, Cal. Code Regs., sections 67243 (a) and 66508 (a)(1).

EOI violated H&SC, section 25123.3 (d)(6) and Title 22, Cal. Code Regs., sections 67243 (a) and 66508 (a)(1), in that on or about March 21, 1990, EOI failed to keep all containers of hazardous waste closed except when it was necessary to add or remove the waste.

Satellite Accumulation:

Visual inspection revealed that one 55-gallon drum containing waste oil stored in the main building garage; two 55-gallon drums containing waste oil and waste oil contaminated trash stored in the bobtail off-loading area; four 5-gallon containers containing waste oil and waste oil sludge stored in the bobtail off-loading area; and four 5-gallon containers and one sheet metal box containing waste oil and oily filter debris stored in or and near the filter cleaning area were not kept closed except when it was necessary to add or remove the waste (attachment 2: photos 1, 2, 3, 4, 5, 6, & 7).

Generator Storage:

Visual inspection revealed that six 55-gallon drums containing waste oil, oily filter debris, and/or waste oil and water stored in the drum storage area were not kept closed except when it was necessary to add or remove the waste (attachment 2: photos 23, 24, 25, 26, 27, & 28).

4. Title 22, Cal. Code Regs., sections 66508 (a)(1), 67241, and 67243(b).

EOI violated Title 22, Cal. Code Regs., sections 66508 (a)(1), 67241, and 67243(b), in that on or about March 21, 1990, EOI handled and/or stored a container of hazardous waste in a manner which caused it to leak and failed to

transfer hazardous waste from a container not in good condition to a container that is in good condition.

Visual inspection revealed that one 55-gallon drum containing waste heat exchanger wash stored in the drum storage area was leaking hazardous waste on to the floor of the drum storage area (attachment 2: photos 21 & 22).

5. Title 22, Cal. Code Regs., sections 66508 (a)(1) and 67244.

EOI violated Title 22, Cal. Code Regs., sections 66508 (a)(1) and 67244, in that on or about March 21, 1990, EOI failed to, at least weekly, inspect areas where containers are stored, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.

On or about the day of the facility inspection, March 21, 1990, Susan Keene could not produce documentation for any EOI "weekly" inspection more recent than February 11, 1990 and confirmed that February 11, 1990 was the last time EOI personnel had inspected the areas listed on the EOI "Inspection Checklist Schedule: Weekly Inspection" log (attachment 3). Examination of the EOI inspection log revealed that the checklist did not list the generator drum storage area as an area to be inspected.

6. Title 22, Cal. Code Regs., sections 66374 (a) and 67105 (a)-(d); Permit, part III, section M.

EOI violated Title 22, Cal. Code Regs., sections 66374 (a) and 67105 (a)-(d) and Permit, part III, section M, in that on or about March 21, 1990, EOI failed to ensure that all facility personnel successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Chapter 30 of Title 22, Cal. Code Regs.

Examination of EOI training records revealed that none of the EOI training courses required for hazardous waste personnel included any material covering the proper management of hazardous wastes. Susan Keene also could not produce any training records that documented whether or not Todd Hutcheon, the EOI Operations Superintendent, had taken any type of training at all. Dirk Dommaschek, a temporary worker who was working unsupervised in the drum storage area, stated that he had not received training of any kind other than instruction on how to solidify and mix the drummed oily filter debris with rice hull ash.

7. H&SC, section 25189.5 (a); Title 22, Cal. Code Regs., sections 67120 (a) and 66374 (a); Permit, part II, section G.6.a.

EOI violated H&SC, section 25189.5 (a), Title 22, Cal. Code Regs., section 67120 (a) and 66374 (a), and Permit, part II, section G.6.a., in that on or about March 21, 1990, EOI failed to maintain and operate their facility to minimize the possibility of any unplanned, sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

Visual inspection revealed that the heavily oil-stained concrete pad which supports waste oil tanker trucks during washing and maintenance activities was visibly cracked in at least one place (attachment 2: photos 8, 9, 10, & 11) and that waste oil had been spilled on to exposed soil in at least two areas near the east end of the bobtail off-loading area (attachment 2: photos 12 & 13). Susan Keene stated that the dark stain in shown in photo 12 and that the absorbent-covered stain shown in photo 13 were spills of waste oil.

8. Title 22, Cal. Code Regs., sections 67123 (a) and 66508 (a)(4).

EOI violated Title 22, Cal. Code Regs., section 67123 (a) and 66508 (a)(4), in that on or about March 21, 1990, EOI failed to provide to all personnel involved in hazardous waste operations immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another employee.

Visual inspection revealed that at the time of the facility inspection, Dirk Dommaschek, a temporary worker was working unsupervised in the drum storage area solidifying hazardous waste and was without access to an internal alarm, emergency communication device, or visual or voice contact with another EOI employee.

9. Title 22, Cal. Code Regs., section 67002 (b).

EOI violated Title 22, Cal. Code Regs., section 67002 (b), in that on or about March 21, 1990, EOI failed to adjust the facility Closure Cost Estimate for inflation and submit the adjusted cost estimate to the Department by March 1, 1990.

Examination of the facility Closure Cost Estimate on file with the Department's Financial Responsibility Unit revealed that EOI had not adjusted the facility Closure Cost Estimate for inflation and had not submitted the adjusted cost estimate to the Department by March 1, 1990.

EES Violations:

1. Title 22, Cal. Code Regs., section 66541 (a).

EES violated Title 22, Cal. Code Regs., section 66541 (a), in that on or about March 21, 1990, EES accepted hazardous waste with a Hazardous Waste Manifest that had not been accurately completed in accordance with section 66482, Title 22, Cal. Code Regs.

Examination of EES Hazardous Waste Manifests revealed that EES had at least nine times accepted for transport hazardous waste with Hazardous Waste Manifests that had been inaccurately completed with an incorrect company name and/or incorrect EPA identification number in the Transporter or Designated Facility section of the Hazardous Waste Manifest (attachment 4).

VIII. Observations

The following observations were made during the inspection of the EOI/EES facility on March 21 and 22, 1990. Upon arrival on the first day of the facility inspection (March 21), Richard Stewart, Pat Payne, Tom Peacock, and myself met with Ms. Susan Keene and briefly discussed the purpose of my inspection, the general facility layout, EOI's waste oil recycling process, and the tentative schedule for the day.

Following the opening interview, we toured the facility, beginning with EOI's in-house Analytical Laboratory where incoming waste oil is tested for hazardous constituents and for physical properties. Next, we entered the garage area, part of which is being remodeled for a planned laboratory expansion. I observed that one 55-gallon drum containing waste oil stored in the main building garage was not labeled with an accumulation date and was not kept closed (attachment 2: photo 1).

We then walked outside to the bobtail tanker truck off-loading area where waste oil is pumped out of tanker trucks to a mixing tank within the EOI tank farm. I observed that one 55-gallon drum containing waste oil contaminated trash stored in the bobtail off-loading area was not labeled with an accumulation date and that one 55-gallon drum containing waste oil contaminated trash stored in the bobtail off-loading area was not affixed with any label (attachment 2: photo 2). I also observed that both of these 55-gallon drums containing hazardous waste were not kept closed (attachment 2: photos 2 & 3).

We continued our inspection and walked to the east end of the bobtail off-loading area where tanker trucks are washed and/or maintained. Here I observed that four 5-gallon containers containing waste oil and waste oil sludge were not affixed with any labels and that all four containers were not kept closed (attachment 2: photo 4). I also observed that the heavily oil-stained concrete pad which supports waste oil tanker trucks during washing and maintenance activities was visibly cracked in at least one place (attachment 2: photos 8, 9, 10, & 11) and that waste oil had been spilled on to exposed soil in at least two areas near the east end of the bobtail off-loading area (attachment 2: photos 12 & 13). In response to my questions, Susan Keene confirmed that the dark stain shown in photo 12 and that the absorbent-covered stain shown in photo 13 were spills of waste oil.

We then approached the filter drain sump area. I observed that four 5-gallon containers and one sheet metal box containing waste oil and oily filter debris stored in the filter cleaning area were not affixed with any labels and that all of these containers were not kept closed (attachment 2: photos 5, 6, & 7). At this point in the inspection, we were joined by Mr. Todd Hutcheon.

Next, we were taken to the EOI generator drum storage area (attachment 2: photos 14 & 15). It contained a total of approximately 50 55-gallon drums containing hazardous waste and a number of other containers, some empty and some containing product materials. We inspected the area briefly and observed that Dirk Dommaschek, an EOI temporary worker, was working unsupervised and alone in the drum storage area solidifying hazardous waste without access to an internal alarm, emergency communication device, or visual or voice contact with another EOI employee. In response to questions, Mr. Dommaschek stated that he had not received training of any kind other than instruction on how to solidify and mix the drummed oily filter debris with rice hull ash. Mr. Dommaschek was in direct contact with hazardous waste, but was working without a shirt, protective clothing, or safety glasses.

After briefly inspecting the drum storage area, Todd Hutcheon, showed us the refinery and answered our questions regarding the EOI recycling process.

After a lunch break, Richard Stewart, Pat Payne, and myself returned to the drum storage area for a more detailed inspection. I observed that two 55-gallon drums containing waste oil and oily filter debris were not labeled with accumulation dates; 68 55-gallon drums containing waste oil and oily filter debris waste were not labeled with a

statement which identified the hazardous property of the waste and the name and address of the person producing the waste; and seven 55-gallon drums containing waste oil and oily filter debris and/or waste oil and water were not affixed with any labels (attachment 2: photos 18, 19, 20, 25, 26, 27, & 28). I also observed that six 55-gallon drums containing waste oil, oily filter debris, and/or waste oil and water stored in the drum storage area were not kept closed (attachment 2: photos 23, 24, 25, 26, 27, & 28). I also observed that one 55-gallon drum containing waste heat exchanger wash was leaking hazardous waste on to the floor of the drum storage area (attachment 2: photo 21 & 22).

On the second day of the facility inspection (March 22), Richard Stewart and myself met with Susan Keene and then began our records and paperwork review. While examining EOI/EES Hazardous Waste Manifests, I observed that EES had at least nine times accepted for transport hazardous waste with Hazardous Waste Manifests that had been inaccurately completed with an incorrect company name and/or incorrect EPA identification number in the Transporter or Designated Facility section of the Hazardous Waste Manifest (attachment 4).

After lunch break, Richard Stewart and myself returned to examine additional EOI records. We then returned to the drum storage area for additional photos. Mr. Kirk Hayward then met with us and answered our questions about the transport operations of EES and showed us the fleet of EES trucks that were on the site that day.

We met one more time with Susan Keene to examine inspection logs and hazardous waste personnel and training records. Susan Keene could not produce documentation for any EOI "weekly" inspection more recent than February 11, 1990 and in response to my questions, confirmed that February 11, 1990 was the last time EOI personnel had inspected the areas listed on the EOI "Inspection Checklist Schedule: Weekly Inspection" log (attachment 3). I observed that the EOI inspection checklist did not list the generator drum storage area as an area to be inspected. I also observed that none of the EOI training courses required for hazardous waste personnel included any material covering the proper management of hazardous wastes. Susan Keene also could not produce any training records that documented whether or not Todd Hutcheon, the EOI Operations Superintendent, had taken any type of training at all.

The EOI hazardous waste tanks were not evaluated during this inspection and no samples were taken.

In a series of telephone conversations after completion of the field inspection, Susan Keene stated and confirmed that

when EOI receives waste oil contaminated with greater that 1000 ppm halogenated hydrocarbon compounds, EOI pumps out the entire load of hazardous waste into a stationary tank (tank 502) and then later pumps the load to another tanker truck and transfers it to Systech, another off-site facility, for treatment. According to EOI manifest records, waste oil contaminated with greater that 1000 ppm halogenated hydrocarbon compounds have been transferred off-site in this manner at least 47 times between October 5, 1989 and March 31, 1990. I noted that the EOI Hazardous Waste Facility Permit, Operation Plan, and August 24, 1988 Variance permit EOI to accept, store, and treat only waste oil and waste ethylene glycol.

Review of EOI's Closure Cost Estimate by the Department's Financial Responsibility Unit revealed that EOI had not adjusted the facility Closure Cost Estimate for inflation and had not submitted the adjusted cost estimate to the Department by March 1, 1990.

IX. Discussion with Management

The above violations were briefly discussed in a general format with Susan Keene.

Susan Keene responded by stating that she will inform the entire facility, including management, of each of the potential violations and that they will be corrected as soon as possible. In regards to violation no. 1, Ms. Keene stated that EOI has evaluated the regulations and has received guidance from the Department's Alternative Technology Division which indicated to EOI that the pumping and transfer of contaminated waste oil as described in this report was permitted by the applicable regulations.

X. Attachments

1. Facility Map, 1 pg.
2. Photographs, 16 pgs.
3. EOI Weekly Inspection Log, 1 pg.
4. EES Hazardous Waste Manifests, 9 pgs.
5. Generator Checklist, 20 pgs.
6. Transporter Checklist, 16 pgs.

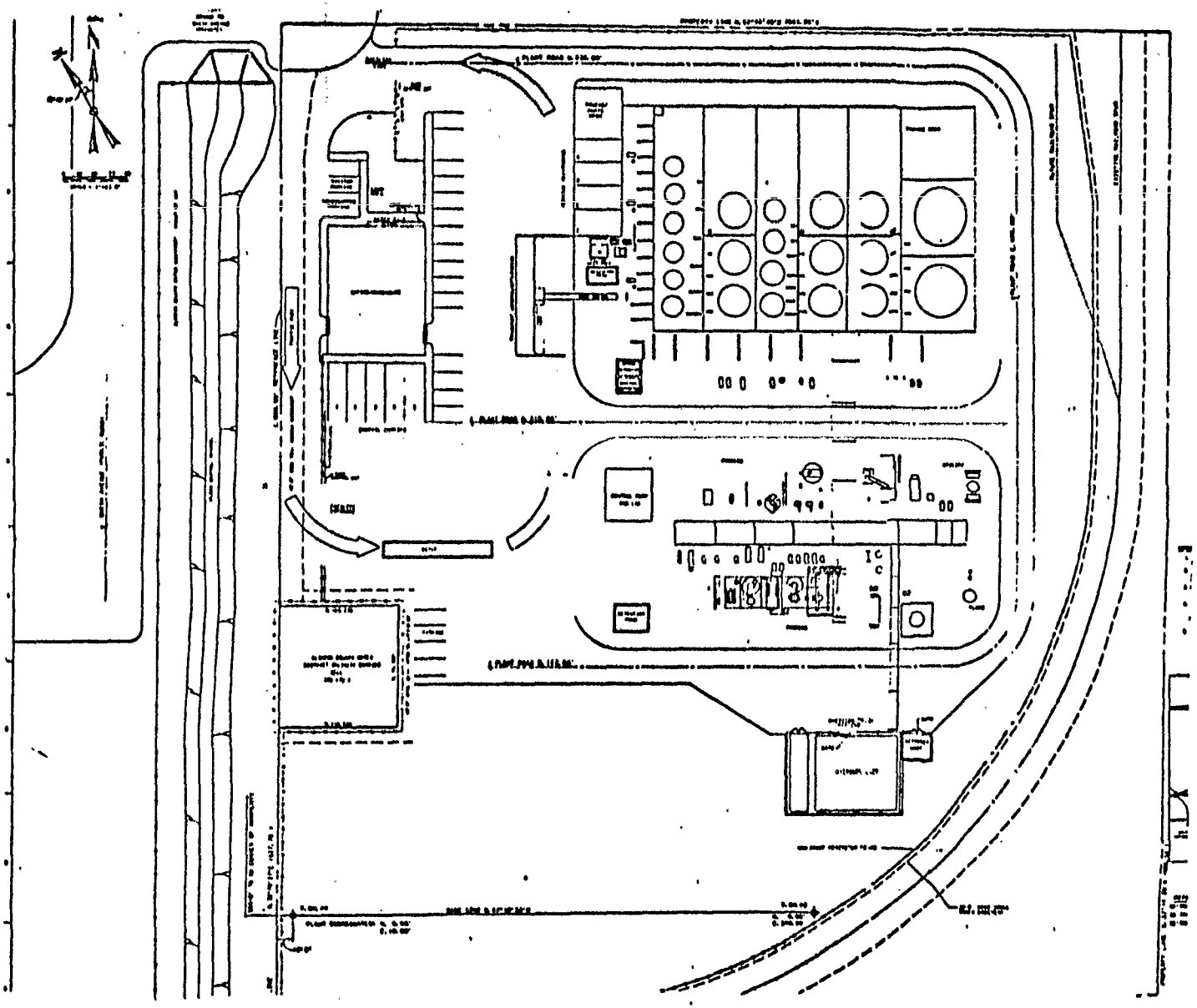
Gregory Grunner
Hazardous Materials Specialist

4/20/90
Date Submitted

Patricia Payne
Senior Hazardous Materials Specialist

4/20/90
Date Approved

ATTACHMENT 1: FACILITY MAP



UPDated OP PLAN 1/10/92

I.A. General Facility Information

1. Name of Applicant:

Evergreen Oil, Inc.

2. Facility Mailing Address:

6880 Smith Avenue, Newark
County of Alameda
California
Zip Code: 94560

6

3. Facility Telephone Number:

(510) 795-4400

4. Facility EPA Identification Number:

CAD 980887418

5. Facility Standard Industrial Code (SIC):

2992 Lubricating oils

6. Owner and Operator of the Facility:

Evergreen Oil, Inc.
6880 Smith Avenue
Newark, California 94560

Note: Evergreen Oil, Inc. owns both the facility and the property.

7. Contact Person:

a. Person who is thoroughly familiar with the facility:

Curtis E. Morgan
President, Evergreen Oil, Inc.

Telephone: (510) 795-4400

b. Person who prepared this Operation Plan:

Jane Burns
Environmental Manager
Evergreen Oil, Inc.

8. Type of facility:

a. Evergreen Oil currently receives, stores, and treats used lubricating oils, a non-RCRA hazardous waste liquid, restoring the oils to their original characteristics as lube oil basestocks.

Evergreen Oil is operating under a variance issued by the Department of Toxic Substances Control which allows Evergreen to process up to 43,000 gallons per day of used oil.

Evergreen proposes to further expand the storage and treatment capabilities of the plant to 60,000 gallons per day of used oil. The expansion will include the addition of six above-ground storage tanks and additional process equipment (See Section II.A, Design and Operation).

b. Evergreen Oil is operating under a second variance issued by the Department of Toxic Substances Control to receive, store, and treat used ethylene glycol (waste anti-freeze). Currently, Evergreen only collects the used anti-freeze from the generators and transports it to another licensed treatment facility. Evergreen does not store or treat anti-freeze at this time but proposes to build an ethylene glycol recovery unit and storage tanks at the refinery site in Newark.

c. Evergreen Oil proposes to expand the list of oily waste acceptable at its facility to include tank bottom waste, oil/water separation liquids, and other unspecified oil containing waste. Evergreen will treat these wastes on-site and restore them to fuel oils and lube oil basestocks. A complete list of the additional waste codes can be found in Section I.C, Waste Analysis.

d. Evergreen proposes to build a railcar loading/unloading rack from which to load finished products and off-load feedstock into the plant.

e. Evergreen proposes to purchase a small transportable compactor with which to compact the oily debris Evergreen generates. This measure will satisfy the waste minimizing requirements of Senate Bill 14.

9. Certification

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this Operation Plan and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

CURTIS E. MORGAN January 10, 1992
President, Evergreen Oil, Inc.

I.D. SECURITY

1. Security Measures Used at the Facility

The facility is completely surrounded by a manproof fence with the appropriate access gates. The fence is a chain-link fence 6'-0" high with barbed wire on top. Total fence height is 7'-6".

The facility is manned 24 hours a day, 365 days a year. A minimum of a three-man crew is on duty at all times. Plant personnel routinely patrol the facility to maintain a safe and secure plant.

2. Access Control Measures:

Access is available only through two vehicle gates and one personnel gate in a manproof fence which surrounds the entire facility.

The gates will be open only during normal office hours. During off hours, gates are kept closed to prevent unauthorized access.

Offices will be locked and secured during off hours.

A lock box is placed near the office entrance to provide local police and fire-fighters access to the facility entrance in case the plant is unattended.

3. Warning Signs:

A warning sign is posted at the entrance to the facility. The sign has 1-inch high block lettering, noting the facility as:

"Resource Recovery Facility. Unauthorized Persons Keep Out".

4. Artificial Lighting:

During hours of darkness, the facility area, including tank farm, process area, loading/unloading area, roads, etc. will be lighted adequately to permit continuous and safe operations.

5. Safety Equipment:

The facility is well equipped with safety and emergency response equipment. Equipment is available for spill

containment and clean-up, for fire fighting, and for first aid and rescue operations. The facility has an acoustic alarm system and contracts with an alarm company which notifies local emergency response agencies of emergency situations. In addition, telephones are available throughout the facility for personnel to use to dial 911 in an emergency.

A detailed list of safety and emergency equipment is located in Exhibit I.H.15.

I. H. LOCATION STANDARDS

1. MAPS OF FACILITY AND SURROUNDINGS

A. U.S. Geological Survey Topographical Map:

U.S. Geological Survey Topographical map of Newark, California, SE/4 Hayward 15′ quadrangle, photorevised 1980 is included as Exhibit I.H.1 and shows the location of Evergreen Oil and the area 2000 feet as well as 1 mile beyond boundaries of the facility.

B. Surface Water Flows:

Because the facility site is essentially flat, with an approximate elevation of 18 feet above sea level, the pattern of surface water flow from each operational unit of the facility is shown in the facility Paving and Grading Plans and included as Exhibits I.H.7 - I.H.12.

C. 100 Year Floodplain Area:

The facility does not lie within the 100 year floodplain area which is shown in the "Firm Flood Insurance Rate Map" and included as exhibit I.H.2.

D. Surface Waters:

Nearby streams and surface water bodies are limited to a flood control channel running parallel and directly along the west side of the facility plot, and salt evaporators which are located south of the facility. The flood control channel and the salt evaporators are shown in Exhibits I.H.1 and I.H.2.

E. Surface Land Uses:

Nearby land is currently zoned by the City of Newark as MG (General Industry) and developed for industrial use.

A detailed aerial map is included as Exhibit I.H.3. and shows nearby land uses. Exhibit I.H.1. also shows surface land uses within 1 mile of the facility.

F. Wind Rose:

A wind rose is shown as Exhibit I.H.4.

G. Legal Boundaries of Facility:

Legal boundaries of the facility for which clear title is held, are shown in Exhibit I.H.5. and are described in detail in Exhibit I.H.6.(grant deed).

H. Access Control:

See Section I.D. for a narrative description of Evergreen's access controls.

I. Injection and withdrawal wells:

a. Onsite:

1. Underground injection wells:

There are no underground injection wells for the facility.

2. Withdrawal wells:

An Alameda County Water District "salinity barrier well" is located at the west side of the facility plot. This well is used to prevent salt water intrusion into the fresh water tables. Water pumped from this well is discharged into a flood control channel running alongside the boundary of the facility plot. Location of the well is shown in Exhibit I.H.5 (site plan).

b. Offsite: There are no injection or withdrawal wells within 2000 feet of the facility.

J. The following items can be found in Exhibit I.H.5 (site plan):

a. Facility Buildings
b. Facility Process Structure
c. Loading and unloading area
d. Operational unit where hazardous waste is treated, transferred, and stored.

K. Storm and Sanitary Systems:

Exhibit I.H.13 (simplified underground piping diagram) shows the location of all surface drainage controlling facilities such as catch basins, drainage trenches and ditches, etc. as well as the way surface streams are directed towards these devices. This Exhibit (I.H.13) as well as Exhibit I.H.14, General underground piping plans, show the underground systems such as sanitary and storm sewers, oil/water separators, oil drainage system, etc.

L. Fire Control Facilities:

1. All fire control facilities are shown in Exhibit I.H.15.

2. See Exhibit II.B.1. for a narrative description of this equipment.

M. Barriers for drainage and flood control:

The barriers for drainage and flood control are shown in Exhibit I.H.16.

2. RELATIONSHIP TO THE 100-YEAR FLOOD PLAIN

A. Identification of Facility in 100-Year Flood Plain

The facility does not lie within the 100-year flood plain:

1. Source of Data:

Source of data to determine whether the facility lies within the flood plain is the Federal Emergency Management Agency, Flood Insurance Rate Map, City of Newark, CA, Alameda County, Panel 5 of 10, Community Parcel 060009.0005.E. Map revised: September 30, 1988.

Evergreen was previously in the 100-year flood zone prior to improvements made to the Line B flood control channel located adjacent to Evergreen's property. All equipment at Evergreen is built above the 100-year flood level.

2. Flood Map:

Exhibit I.H.2. is a copy of the Flood Insurance Rate Map which shows Evergreen Oil to be out of the 100-year flood zone. All 100-year water can be contained in zone A as indicated on the map.

3. Containment System:

The tank farm is protected by a 2'-8'' high concrete wall on all sides, which is designed and constructed to contain 150 percent of the volume held by the biggest storage tank (200,000 gal.), plus a 24 hour, 25 year rainstorm (4.01 in.). The wall is capable of withstanding rising groundwater levels in case of flooding. For more details on the containment system, See Section IX.

All tanks are above ground steel tanks placed on concrete foundations with the top of the concrete at 19'-9'', well above the 100-year flood level to prevent washout of the tanks.

3. Removal of the Tanks to Safety:

All hazardous wastes are stored inside equipment located above the 100-year flood level, so no need for removal of hazardous waste is foreseen.

3. TRAFFIC ASSOCIATED WITH THE FACILITY ON AND OFF-SITE:

A. Traffic Pattern:

Traffic to and from the facility uses Smith Avenue and a bridge over the flood channel. Smith Avenue is a dead-end street with the flood channel located near the south end.

Traffic to and from the facility has to make normal left and/or right hand turns on Smith Ave. and cross the bridge over the flood control channel. Smith Ave. and the private street are both two lane streets. The bridge over the flood channel has two 12 ft. wide lanes.

Traffic on the facility site is basically limited to tanker trucks and bobtails, moving between the facility's entrance, the designated unloading/unloading area and the facility exit (see Exhibit I.H.5. (site plan). Occasionally limited

traffic by service vehicles on the permanent internal roads of the facility will be required for servicing and maintenance of the installation.

B. Control Methods:

No specific control methods are required. The tanker truck and bobtail traffic inside the facility is basically a one-way system as shown on Exhibit I.H.5. (site plan).

C. Location of Control Signal:

Appropriate "STOP" signs are posted at the plant entrance/exit.

Appropriate "ONE WAY" signs are posted along the normal route of traffic flow.

D. Estimated volume of traffic associated with the facility:

Traffic volume at the facility is relatively low and is estimated as follows:

Automobiles:	40 round-trips per day
Trucks (two axles):	15-20 trips per day
(three axles):	6-10 trips per day
Tractor-Trailers:	10-15 trips per day

E. Characteristics of permanent access roads:

1) Surfacing:

All permanent access roads are of the all weather type and constructed conforming to the requirements of the City of Newark.

2) Load bearing capacity:

80,000 lbs. minimum

ATTACHMENTS

Exhibit I.H.1.	Contour Map - Newark, Calif. SE/4Hayward 15′ Quadrangle, Photrevised 1980
Exhibit I.H.2.	100-Year Flood Plain Map
Exhibit I.H.3.	Aerial Map - Evergreen Oil and Surrounding Businesses, 6/29/90

Exhibit I.H.4.	Annual Wind Rose and Meteorological Data - Oakland, CA, International Airport (6) pages
Exhibit I.H.5.	General Site Plan C.E.P. Diagram
Exhibit I.H.6.	Grant Deed and Description of Legal Boundaries (3) pages
Exhibit I.H.7.	Paving and Grading Plan, Sec. 007 - KTI Drawing No. DE-36855-000-34-007, Rev. 3
Exhibit I.H.8.	Paving and Grading Plan, Sec. 008 - KTI Drawing No. DE-36855-000-34-008, Rev. 9
Exhibit I.H.9.	Paving and Grading Plan, Sec. 006 - KTI Drawing No. DE-36855-000-34-006, Rev. 10
Exhibit I.H.10.	Paving and Grading Plan, Sec. 005 - KTI Drawing No. DE-36855-000-34-005, Rev. 6
Exhibit I.H.11.	Paving and Grading Plan, Sec. 004 - KTI Drawing No. DE-36855-000-34-004, Rev. 8
Exhibit I.H.12.	Paving and Grading Plan, Sec. 003 - KTI Drawing No. DE-36855-000-34-003, Rev. 6
Exhibit I.H.13.	Simplified Underground Piping Diagram
Exhibit I.H.14.	General Underground Piping Plan, Surface Drainage - KTI Drawing No. DE-36855-000-34-046, Rev. 4
Exhibit I.H.15.	Emergency And Safety Equipment
Exhibit I.H.16.	Dike Area Fire Protection - KTI Drawing No. DE-36855-000-37-003, Rev. 0

I.I. SEISMIC AND PRECIPITATION DESIGN STANDARDS

1. Precipitation Design Standards:

A. Soil Analysis

In November, 1984, Evergreen commissioned Geotechnical Engineering, Inc. to conduct a soil investigation and to prepare a paving design based on the report. The report contains data from field explorations and laboratory testing and provides recommendations for site preparation and foundations. These recommendations were incorporated into the final facility design. A complete copy of the report is available on request.

Exhibit I.I.1 contains a diagram of the site and the location of soil borings. Results of the soil borings are included.

B. Ground Water Analysis

According to information received from the Alameda County Water District, the depth to groundwater at the facility site and its surroundings is at approximately 49 feet. Based on the average elevation of the graded facility at 19 feet above sea level, it can be concluded that the water table at the site is about 30 feet below the water level in the San Francisco Bay. The groundwater has a chloride content identical to that of the San Francisco Bay.

Soil investigation and subsurface condition explorations at the site by drilling (10-15 ft. deep) and sampling show that from approximately 8.5 to 11.5 feet below grad, water was encountered (See Exhibit I.I.1). However, this is caused by thin water lenses present int he clay layers. Soil investigation reports (dated April 1952 and January 1985) confirming the above findings are available.

C. Precipitation Design Standards

Evergreen Oil was designed and constructed in 1986 to meet or exceed the requirements of the Uniform Building Code. All foundation, tank, and structural designs have been certified by a registered

professional engineer. Copies of tank designs are provided in this Operation Plan as Exhibit IX.A. The facility was inspected and approved by the City of Newark Building Department prior to issuance of the Certificate of Occupancy.

The tank farm containment is designed to exceed the amount of rain which would accumulate in a 24-hour probable maximum precipitation storm plus the contents of the largest tank in the tank farm. All tanks are bolted to the foundation. For details on the containment system, see Section IX.C.

2. Seismic Design Standards:

Evergreen Oil is not located within 200 feet of a fault which has had displacement in Holocene time, nor is Evergreen in an Alquist-Priolo Special Studies Zone. Evergreen does not operate a surface impoundment, waste pile, landfill, or land treatment facility, nor will any waste remain at the site following closure. Evergreen is strictly a hazardous waste treatment facility; no disposal occurs at this site.

However, because this facility is located in an area of considerable seismic activity, information will be presented in this section to show that Evergreen is built to withstand the maximum credible earthquake for this area.

Evergreen was built to 1982 Uniform Building Code standards. The Seismic Zone Map of the United States, shown in Exhibit I.I.2., shows Evergreen to be located in zone 4, the area of highest seismic risk. Building codes require structures being built in this zone to conform to the strictest seismic standards. Evergreen was designed to meet or exceed these standards and after review by a certified engineer and the City of Newark, Evergreen was awarded a permit to construct. Inspections were made by the City of Newark throughout construction to ensure that the specifications of the design were followed.

Exhibits I.I.3,4,&5 contain data showing the earthquake history of the region and the location of the earthquake faults in this area:

A. Exhibit I.I.3. shows the facility location with reference to the Hayward fault.

II.A. DESIGN AND OPERATION OF FACILITY

1. DESIGN

A. Existing Equipment:

Evergreen Oil, Inc. has been located, designed, constructed, maintained, and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste to the air, soil, or surface water.

Following is a discussion of the design features of all existing areas of the treatment facility which handle hazardous waste:

1) Process area

Evergreen is currently operating under a variance from the Department of Toxic Substances Control which raised the allowable waste lube oil throughput to 43,000 gallons per day using existing equipment. All of the certified documents presented to DTSC for the variance are included in this Operation Plan as follows:

a. Exhibit II.A.1.: Heat and Material Balance Sheets for 43,000 gpd case, six pages.

b. Exhibit II.A.2.: Equipment Location Plan, one page.

c. Exhibit II.A.3: Process Flow Diagrams, seven pages.

d. Exhibit II.A.4: Piping and Instrument Diagrams, 26 pages.

Exhibits II.A.1-4 are located in Volume III of the Operation Plan.

A letter form the City of Newark stating that an amendment to Evergreen's Conditional Land Use Permit is not required for the capacity increase in included as Exhibit II.A.16.

2. Tank Farm

The tank farm is surrounded by a wall to contain a major tank failure plus the precipitation from a 25 year 24-hour rain storm. Calculations for the exterior dike wall and the interior dike walls are provided in Exhibit II.A.17. The calculations show that the tank farm wall can withstand the weight of a tank farm full of liquid. A diagram of the tank farm wall, stamped by a professional engineer registered in California, provided in Exhibit II.A.19.

The tank farm is equipped with an underground drain system for draining off precipitation in the tank farm. The underground lines run in trenches embedded in sand. The underground lines have secondary containment consisting of high density polyethylene type lining impermeable to oil. Visual monitoring wells are installed for detection of any leakage of the underground piping system. These wells are inspected monthly (see Section I.E.).

The drain lines flow via gravity to a sump tank (sump X-508) located in the N.W. corner of the tank farm. Liquid collected in the sump tank is pumped out and returned to the process.

All tanks are provided with overflow pipes and drains which also connect to sump X-508 to avoid any spills from overflowing tanks from spilling into the tank farm.

For more details on the tank farm containment system and on the tanks themselves, see Section IX, Tank Systems.

3) Loading/unloading rack

The transport loading/unloading and bobtail unloading/truck wash areas are paved with concrete (6") and sloped. The curbing of the areas is designed in such a way that both areas are inter-connected. Total combined curbed area is 4,950 sq. ft. This will contain within a 3" high curb approximately

1,238 cu. ft. or 9,257 gallons of liquid. A spill of an entire tankerload of oil (7,000 gallons) can therefore be completely contained within the area. The paved area slopes to a drain system which connects to a sump tank (sump X-510) located in a concrete secondary containment. The sump normally collects truck wash water which is pumped to the X-453 oil/water separator. In the event of a large spill, the sump overflows into the 21,000 gallon loading rack spill containment.

4) Oil/water Separators

Evergreen operates two oil/water separators: X-453, the sanitary sewer oil/water separator (so named because it can discharge to the sanitary sewer); and X-454, the storm water oil/water separator (so named because it can discharge to the storm water system). See Exhibit II.A.18, Tank Farm Plot Plan, for location of X-454 and X-453.

X-453 is used to treat oily water from the process.

X-454 is used to treat oily water from the rainwater containment areas. X-454 can discharge to the flood control channel adjacent to the property. However, this pipe is currently blocked off with a 21" plumbers plug and all water exiting X-454 is recycled in the plant.

Design details of X-453 and X-454:

a. Type:

X-453 - Custom enhanced gravity separator, model # EGS-30A, custom; manufactured by AFL Industries, 1985.

X-454 - Vertical tube coalescing separator, model #VTC-350A2; manufactured by AFL Industries, 1985.

b. Dimensions:

X-453 - 12'0" long X 4'0" wide x 4'9" high.

X-454 - 10'6" long x 9'4" wide x 6'6" high.

c. Materials of construction:

X-453 & X-454 outside walls and floor - molded, sandwich construction consisting of balsa wood core and fiberglass reinforced skins.

X-453 and X-454 internal components - Baffles, troughs, and weir walls shall be molded fiberglass reinforced laminate, minimum 1/8" thick.

The entire exposed external surfaces of both separators are covered with a continuous layer of chemically resistant, ultraviolet stabilized white polyester gelcoat.

Both tanks are strapped down to a concrete pad within the containment area.

d. Operating parameters:

X-453 - design flow is 30 gpm; maximum operating temperature is 130 F; operating capacity is 1,240 gallons.

X-454 - design flow is 400 gpm; maximum operating temperature is 130 degrees F; operating capacity is 3,000 gallons.

e. Secondary containment:

Both oil/water separators are surrounded by a single concrete secondary containment. This containment area is 16'6" x 16' x 13'. Total capacity is 25,930 gallons and net containment capacity is 21,690 gallons. If liquid, oil or water enters the containment area, the containment area is pumped out. The oil/water separators and the secondary containment are inspected daily (see Section I.E).

5) Sumps that may contain hazardous waste

Evergreen has two sumps which are used for the collection of oil from overflow lines from tanks within the tank farm area, and for the collection of oily water from wash down areas in the truck loading/off-loading areas. Sump X-508 is the overflow sump located in the N.W. corner of the tank farm. Sump X-510 is the wash down sump located near the loading/unloading rack. (See Exhibit II.A.18, Tank Farm Plot Plan).

Design details for Sump X-508 and X-510:

a. Type:

X-508 - A 1,200 gallon fiberglass sump manufactured in 1986 by AFL Industries model ST-50FL. Sump is complete with cover and high level alarm.

X-510 - A 900 gallon fiberglass sump manufactured in 1986 by AFL Industries model ST-50F. Sump is complete with cover and high level alarm.

b. Dimensions:

X-508 - 5′ x 8′ x 4′ high

X-510 - 5′ x 6′ x 4′ high

c. Materials of construction:

Both sumps are constructed of fiberglass.

d. Secondary containment:

X-508 is placed inside a concrete secondary containment. The containment is 8′6" x 12′ x 10′5" for a total capacity of 7,950 gallons. The net containment capacity is 6,750 gallons, more than enough to contain the contents of the entire sump plus a 25 year 24-hour rainstorm. If X-508 becomes full, a high

level alarm will go off in the control room and operators can then pump out the sump to a tank in the tank farm.

X-510 is placed inside a concrete secondary containment as well. The containment is 8'6" x 9'1" x 11'0" for a total containment capacity of 6,350 gallons. The net containment capacity is 5,450 gallons, more than enough to contain the entire contents of the tank plus a 25 year 24-hour rainstorm. If X-510 becomes full, a high level alarm will go off in the control room and operators can then pump out the sump to a tank in the tank farm.

6) Fire water and loading rack spill containment

Evergreen has two containment vaults that serve as part of a secondary containment system to collect and contain releases of hazardous wastes per Section 66264.190. These vaults are kept dry and are available for spill containment in the event of a large spill and fire water containment in the event of a fire on the process structure.

The vault located west of the control room, labelled fire water containment on the Tank Farm Plot Plan (Exhibit II.A.18), is 22' x 20' x 6'8" for a total containment capacity of 21,950 gallons.

The firewater containment is available to contain a spill occurring in the process area and to contain fire water in the event of a fire on the structure.

The vault located near the loading rack, labelled load rack containment, is 20'4" x 12'4" x 11'2" for a total containment capacity of 21,000 gallons.

The load rack containment is available to

contain a major spill on the loading rack and to contain a spill if sump X-510 overflows.

B. Proposed Equipment:

1) Used Oil Processing:

Evergreen proposes to add several new pieces of equipment to the process to allow for an increase in production from 43,000 gallons per day to 60,000 gallons per day. The following documents, stamped by a registered professional engineer, are presented in this Operation Plan to show that when the new equipment is installed, Evergreen will be able to safely process 60,000 gallons of lube oil per day:

a. Exhibit II.A.5.: Heat and Material Balance Sheets for the 60,000 GPD case, nine pages.

b. Exhibit II.A.6.: Process Flow Diagram for Expansion - Mohawk Treatment, Dewatering, Gasoil Removal and Lube Recovery Sections; one page.

c. Exhibit II.A.7.: Process Flow Diagram for Expansion - Hot Oil and Vacuum System and Sour Water Stripping, Flue gas scrubbing, and Oil/water Separation; two pages.

d. Exhibit II.A.8: Process Flow Diagram for Expansion - Utilities Section; one page.

e. Exhibit II.A.9: Process Flow Diagram for Expansion - Feedstock and Products Storage and Transfer; one page.

f. Exhibit II.A.10: Process Flow Diagram for Expansion - Hydrofinishing and Product Fractionating Sections; one page.

Exhibits II.A. 5 through 10 are located in Volume II of the Operation Plan.

All of the proposed process equipment is similar to equipment already existing and in

II.B. REQUIRED EQUIPMENT

The facility is equipped with the following equipment as required in Section 66264.32:

1. Internal Communication and Alarm System:

   A. Internal/external PAC-Bell telephone service: located in the main office area, modular offices, and the control room.

   B. Emergency alarm: an emergency alarm that can be heard at all locations in the facility is activated from the control room.

   C. 2-Way Walkie-talkie system: The control room and operators are equipped with walkie talkies for communication within the process area and tank farm.

2. Device to Summon Emergency Equipment:

   Evergreen has two means of summoning emergency equipment in the event of an emergency. All operators are equipped with a walkie-talkie which gives them immediate access to the control room. The control room is equipped with a telephone and a list of all pertinent emergency phone numbers to summon assistance in case of an emergency. Evergreen also contracts with an alarm company which receives an automatic signal if our firewater system loses pressure. Loss of pressure would occur if the fire sprinkler system or automatic foam system were activated.

   The automatic signal and alarm company response tested by the Newark Fire Department on an annual basis.

3. Emergency Equipment:

   The plant is equipped with portable fire extinguishers, fire control equipment, spill control equipment, and first aid and rescue equipment. A complete list of emergency and safety equipment is included at the end of this section as Exhibit II.B.1. A detailed location map of all safety and emergency equipment is included as Exhibit I.H.15.

4. Available Water:

Evergreen's fire water is supplied by the Alameda County Water District at 70 psi, which is adequate pressure to supply fire hoses, foam equipment, and sprinkler systems.

ATTACHMENTS

Exhibit II.B.1. Emergency and Safety Equipment List

IX.A. ASSESSMENT OF EXISTING TANK SYSTEM'S INTEGRITY

Tanks used for storage of used lubricating oils, ethylene glycol and waste water are designed and constructed in accordance with API Specification No. 650 -Welded Steel Above Ground Tanks for Flammable and Combustible Liquids.

All tanks were inspected ultrasonically in November, 1991 by an outside contractor, M.M.P. Quality Inspections, Inc. Results of the inspection showed all of the tanks to be in excellent condition. A letter summarizing the results is included as Exhibit IX.A.1. A complete copy of the reports is available upon request.

Following is a narrative description of the tanks and information regarding the waste types to stored in them:

1. Design specifications:

   A. Dimensions:

      Height and diameter of the tanks varies in accordance with tank capacity and range from approx. 13"-0" to 30'-0" in height and 12'- 0" to 33'-8" in diameter.

   B. Capacity:

      Tank capacities range from 10,000 gallons to 200,000 gallons.

   C. Shell thickness and corrosion allowance:

      Shell (wall, roof, bottom) thickness is as called for by API Specification No. 650 or UL 142.

   D. Pressure rating:

      All storage tanks for high flash hazardous waste material are of the atmospheric type. Any tank storing ignitable waste material shall be blanketed with nitrogen.

   E. Structural supports:

      All of the storage tanks are of the flat bottom type. Tanks are directly placed on raised concrete slab foundations. No

structural supports (legs, saddles, etc.) are used. All tanks are properly anchored to their foundation with anchor bolts to comply with the design requirements for earthquake zone 4.

2. Material of construction:

Tanks are constructed of carbon steel material as allowed for in the API and UL Specifications.

3. Lining materials:

Tanks are not lined.

4. Corrosion or erosion resistance:

The material stored in the tanks, used lubricating oil, water, and ethylene glycol are non-corrosive liquids with pH's in the range of 6.3 to 8.0.

All tanks include the customary 1/8" corrosion allowance on the plate thickness. No other corrosion resistance measures are required.

Protection against external environmental effects is achieved by applying a proper paint system.

Sizing of tank nozzles (inlet/outlet) is adequate to avoid erosion caused by high fluid velocities. (velocity used: max. 4 ft./sec.)

The tank exterior is inspected daily for any appearance of corrosion. Remaining shell plate thickness will be checked ultrasonically on all hazardous waste storage tanks at least annually.

See Exhibit IX.A.1 for results of most recent ultrasonic test.

5. Design specification for tank foundations:

Tank foundations are designed generally in accordance with Appendix B of API Specification No. 650.

The specific soil bearing data of the construction site resulting from a geophysical survey made during Jan. 1985, and the seismic conditions for the area (zone 4) are taken into consideration.

The tank foundations are octagonal shaped raised concrete slabs with the top of the finished foundation at an elevation of 19"-9", approximately 6 inches above the tank farm floor.

6. Expected life of tanks:

The service life of the tanks for the storage of used lubricating oils, used ethylene glycol, and waste water as designed, constructed and operated is practically indefinite and can comfortably be estimated at 30 to 40 years. However proper periodical (annual) inspections (incl. plate thickness check) in accordance with API Guide for Inspection of Refinery Equipment, Chapter XII - Atmospheric and Low Pressure Storage Tanks, will be carried out to monitor structural integrity of the tanks.

7. Tank diagrams:

The following information regarding the tanks is provided in Exhibit IX.A.2:

A. Tank Number
B. Description (contents)
C. Capacity
D. Shell thickness
E. Corrosion allowance
F. Material of construction
G. Structural supports
H. Feed System
I. Waste feed cut-off
J. Pressure controls
K. Other features

Seismic calculations for all of hazardous waste storage tanks are presented for each tank size group. The tanks were constructed at the same time using essentially the same diagrams for each tank size.

The 200,000, 50,000, and 25,000 gallon tanks were constructed on-site. Stamped diagrams for those tanks are provided in the Exhibits. The 10,000 gallon tanks were shop fabricated. Exhibit IX.A.7, "Manufacturer's Certification for Tank Built to UL Standard 142", states that the five 10,000 gallon hazardous waste storage tanks were constructed to meet all UL standards

The calculations and drawings are presented in the following Exhibits:

A. Exhibit IX.A.3(a) - Seismic and Design Calculations for 200,000 gallon tanks.

B. Exhibit IX.A.3.(b) - Tank Diagrams for 200,000 gallon tanks.

C. Exhibit IX.A.4(a) - Seismic and Design Calculations for 50,000 gallon tanks

D. Exhibit IX.A.4(b) - Tank Diagrams for 50,000 gallon tanks.

E. Exhibit IX.A.5(a) - Seismic and Design Calculations for 25,000 gallon tanks

F. Exhibit IX.A.5(b) - Tank Diagrams for 25,000 gallon tanks.

G. Exhibit IX.A.6(a) - Seismic Calculations for 10,000 gallon tanks.

H. Exhibit IX.A.6(b) - Tank Diagrams for 10,000 gallon tanks.

The proposed hazardous waste storage tanks include a 200,000 gallon used oil tank, a 25,000 gallon used antifreeze tank, and a 25,000 gallon waste water tank. The tanks will be constructed in the same manner as the existing tanks. See Exhibit IX.A.3 and Exhibit IX.A.5.

8. Description of tank, feed and pressure control systems:

A. Feed Systems:

1) Oil wastes including oil/water separation sludge, tank bottom wastes and other unspecified oil wastes, and used lubricating oils, are transferred to,

from and between tanks via a fixed installed system of carbon steel pipe lines with valves and use gear type and/or centrifugal pumps.

Transfer of oil from tanker trucks and bobtails to the unloading pumps is via petroleum hoses.

2) Ethylene glycol will be transferred to, from, and between tanks via a fixed installed system of carbon steel pipe lines with valves and using gear type and/or centrifugal pumps.

B. Waste feed cut-off system:

Cut-off of flow to and from tanks is by hand operated valves or by push button stop command of pumps. High level alarms on the pre-select tanks activate an acoustic and visual alarm for the operators to switch off the pump to prevent potential overflow conditions.

C. By-pass system:

A by-pass system of the tank storage is inappropriate for a facility of this type. Such a system is not included in the design.

D. Pressure controls:

Used oil and used ethylene glycol have low vapor pressures and vent either to the atmosphere or to an odor abatement system which has been approved by the Bay Area Air Quality Management District. Design of the vents is in accordance with API Specifications and the requirements of the Bay Area Air Quality Management District Rules and Regulations.

E. Other features:

All tanks are properly grounded.

9. Specific Gravity of the Wastes:

A. Used Oil:

The specific gravity of used lubricating oil varies between 22.0 and 28.0. Specific gravity varies based upon level of water contamination and the grade of the oil.

B. Ethylene Glycol:

Specific gravity of ethylene glycol at 20 celsius is 1.0012.

10. Compatibility of wastes with tank materials:

Used oil and ethylene glycol are non-corrosive materials and are therefore compatible with the selected tank materials (carbon steel).

Tanks containing waste water may be subject to rust corrosion over time. However, the tank inspection schedule is more than adequate to spot potential corrosion problems. If a tank has significant corrosion problems that might cause the tank to leak, the tank will be taken out of service until it is repaired or replaced.

11. Vapor control systems for tanks containing volatile wastes:

The waste oils and ethylene glycol have low vapor pressures. They are not volatile and special vapor control systems are not required by the Bay Area Air Quality Management District. Several tanks currently vent either to carbon canisters or to the hot oil heater and caustic scrubber for odor control. The odor abatement system is approved by the Bay Area Air Quality Management District.

12. Labels used to identify contents of each tank:

Tanks are labeled with a painted diamond containing specific identification of contents in accordance with NFPA. In addition, all tanks are identified with their equipment item number.

It may occasionally be necessary to change the designated service of a tank i.e. from product storage to feedstock or other product storage. In

the case where storage goes from a dirty material to a clean material, the tank and associated piping will be steam cleaned prior to storing the clean product. The tank labelling system is therefore interchangeable in order to provide at any given time correct identification of the content of each tank.

The ethylene glycol will be stored in separate tanks that are not connected to the other waste oil tanks to avoid any possibilities of cross contamination. The tanks will be labelled according to NFPA guidelines.

IX.B. DESIGN AND INSTALLATION OF NEW TANK SYSTEMS OR COMPONENTS

Evergreen proposes to install six new above-ground tanks. Only three of the tanks will potentially used to store hazardous wastes. The tanks will be constructed with the same design as the 200,000 gallon and 25,000 gallon existing tanks. The construction materials and foundations will also be the same and will meet all of the requirements of Article 10. See Exhibit IX.3 and Exhibit IX.5.

The new tanks will contain the following materials:

1. 200,000 gallon used oil feedstock tank
2. 25,000 gallon used ethylene glycol tank
3. 25,000 gallon ethylene glycol product tank
4. 60,000 gallon lube oil product tank
5. 60,000 gallon lube oil product tank
6. 25,000 gallon waste water tank

The hazardous properties of the used oil and ethylene glycol are described in Section I.C., Waste Analysis. Note that only tanks 1, 2, and 6 will contain hazardous wastes.

The new tanks will be constructed within the existing containment system, therefore, they will not be in contact with the soil. They will also not be in contact with standing water because the tanks are built upon a floor. The containment areas are equipped with drains in order for precipitation to be drained off.

IX.C. CONTAINMENT AND DETECTION OF RELEASES

1. Description of containment system:

   A. Basic design parameters:

The storage tanks are grouped together in a tank farm which is surrounded by a concrete wall (2'-8" high). For details and dimensions, see Exhibit II.19. Grading of the various subdivided areas inside the wall causes all surface run-off to collect in pre-cast concrete catch basins. The catch basins are connected via underground non-friable asbestos cement sewer lines to a common sewer header from the tank farm. The sewer outlets are equipped with gate valves, normally kept closed. Any spills, leaks or precipitation is therefore collected and held within the walled area.

A separate underground oil drainage system (cast iron pipe) is installed in the tank farm in addition to the storm sewer system described above. This system collects waste from all tank drains, overflow pipes, and spills from sample connections. The waste flows into above ground raised drain hubs directly mounted on the underground drainage system.

All of the underground piping is non-corroding (cast iron and non-friable asbestos), therefore no cathodic protection is required.

The wastes collected in the drainage system flow directly by gravity to a 1200 gallon overflow sump V-508 in the NW corner of the tank farm from where the oil is pumped back into the waste oil tanks for recycling in the process. The underground drain lines run embedded in sand inside trenches under the tank farm floor. The underground drain lines are provided with secondary containment by means of a trench liner of high density polyethylene impermeable to oil. The sump V-508 is a reinforced tank located inside a concrete pit.

For details of the layout of the various drain systems, please refer to Exhibit I.H.13.

Geotechnical surveys for which reports are available (dated April 29, 1952 and Jan. 22, 1955) show that the area is underlain by alluvial deposits and soils developed on them. The uppermost layers of the soils consist of

silty clays and clay loams. The upper silty clay is very stiff in consistency, whereas below 3 to 5 ft., medium to stiff silty clay soils are encountered. Although the soil in the tank farm forms a continuous, virtually impervious base, additional concrete paving (4 in. thick) is installed throughout the tank farm to provide secondary containment.

To provide secondary containment under the steel bottom plates of the hazardous waste storage tanks, a 40 mil high density polyethylene membrane is placed between the concrete foundation and the tank bottom. The membrane is properly sealed around the anchor bolts and the edges of the foundations. Any leakage due to failure of the tank bottoms will run-off between the bottom and the membrane to the edge of the raised tank foundation where it can be easily visually detected.

All other tanks (containing non-hazardous waste) in the tank farm are protected in the same way, except the asphalt flux tank T-511A, which operates at min. 300 degrees F, a temperature too high for the polyethylene membrane. Since the asphalt flux material solidifies at ambient temperature, the cold product itself would act as a barrier in case the tank bottom fails.

B. Capacity of containment system:

Containment capacity of the walled-in tank farm is in accordance with Ordinance No. 195 of the City of Newark, CA, which exceeds the requirements of DOHS, and is sufficiently large to contain at least 150 percent of the content of the largest tank (200,000 gallons) plus 24 hours, 25 year rain fall (4.01 inches).

Containment Calculation:

1) Total Tank Farm Impoundment:

140 feet x 205 feet = 28,700 sq. feet
x 2.75 hike dike wall = <u>78,925 cubic feet</u>

2) Total volume of existing tanks and tank foundations: 20,566 cubic feet (at dike height)

3) Total Tank Farm Impoundment Available:

78,925 - 20,566 = 58,359 cubic feet

4) Largest tank in Tank Farm: 189,665 Gallons

189,665 gallons / 7.48 gal/cubic foot = 25,356 cubic feet

5) Free volume: 58,359 - 25,356 = 33,000 cubic feet

6) Volume of precipitation from 25 year 24-hour rainfall: 6,362 cubic feet

7) Net available impoundment capacity after allowing for volume of largest tank and rainfall from 25 year 24-hour storm:

58,359 - (25,356 + 6,362) = 26,632 cubic feet.

The installation of the new tanks will not significantly reduce the amount of available containment and the containment system will still meet the requirements of Section 66264.193.

8) Volume of proposed tanks and foundations: 6,096 cubic feet

9) Net Available Impoundment after installation of new tanks and after allowing for contents of largest tank and rainfall from 25 year 24-hour storm:

26,632 - 6,096 = 20,536 cubic feet (153,609 gallons)

C. Run-on provisions and management:

The wall around the tank farm protects the area against any run-on from other parts of the facility. The facility is provided with an adequate storm water drain system to channel any run-on to the storm sewer.

D. Removal of accumulated liquids:

Containment system design is such that only a major calamity could fill the walled area completely. Daily monitoring of the containment area for spills, leaks, etc. is carried out be facility operations personnel on a scheduled basis.

Depending on the size of a spill, any spilled liquid will be immediately removed by vacuuming or pumping out into trucks and/or hosing it down into the storm run-off containment system.

When precipitation has accumulated in the tank farm, the liquid is sent to the storm sewer system oil/water separator X-454 for clean-up, if necessary. The water is subsequently recycled in the plant for use in the scrubber and the cooling tower. Evergreen operates under a rainwater management plan approved by the Union Sanitary District.

The oil/water separator X-454 separates the oil from the water stream. The separator has a design capacity to treat 400 GPM oily water and is capable of reducing the influent oil content to 20 ppm or less.

Separated oil is accumulated in an integral oil storage chamber in the separator and is pumped out and returned to the used oil storage tank. The water effluent is sent to a waste water tank for further treatment before being discharged into the storm sewer. The separator X-454 consists of a reinforced fiberglass tank installed and anchored into a concrete vault in the ground (secondary containment). Top of tank is above the 100 year flood level (19'0").

Effluent from the separator is analyzed periodically for oil content to check if proper separation is maintained.

The analysis method used is Method 206B (Trichlorotrifloroethane-Soluble Floatable Oil and Grease) as described in Standard Methods

for the Examination of Water and Waste Water American Public Health Association.

IX.D. GENERAL OPERATING REQUIREMENTS

All tanks shall be operated in accordance with Section 66264.194. No waste or other materials shall be placed in a tank system if they could cause the tank, its ancillary equipment or the containment system to rupture, leak, corrode, or otherwise fail. All operators are trained in proper tank loading and inspection procedures. See Section I.F., Personnel.

All tanks are equipped with overflow protection.

IX.E. INSPECTIONS

The tanks, containers, and all ancillary equipment are inspected daily. For complete detains of the inspection, see Section I.E., Inspection.

IX.F. RESPONSE TO LEAKS OR SPILLS AND DISPOSITION OF LEAKING OR UNFIT-FOR-USE TANK SYSTEMS

A spill response contingency plan is contained in Section III.A. and describes all measures taken to contain and clean-up spills as well as repair of leaking tanks.

All spills and releases from the tank system shall be cleaned up in accordance with Section 66264.196. All waste shall be removed within as timely a manner as is necessary to prevent overflow of the containment system, but within no more than 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment.

Any release to the environment will be reported to the Department within 24 hours of its detection unless the release is less than or equal to a quantity of one (1) pound, and it is immediately contained and cleaned up.

Within 30 days of detection of a release to the environment, a report containing the following information will be submitted to the Department:

1. likely route of migration of the release;

2. characteristics of the surrounding soil;

3. results of any monitoring or sampling conducted in connection with the release;

4. proximity to downgradient drinking water, surface water, and populated areas; and

5. description of response actions taken or planned.

In the event of a failure of the tank system the system will be repaired prior to returning the tank system to service. If major repair work is needed, the tank system will be returned to service until the work has been certified according to Section 66264.196(b)(7).

IX.G. CLOSURE AND POST-CLOSURE CARE

In the event the tank system is closed, it will be closed in accordance with the facility closure plan as described in Section VI.Z., Closure Plan.

IX.H. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

See Section I.G., General Requirements for Ignitable, Reactive, or Incompatible Wastes.

IX.I. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

See Section I.G., General Requirement for Ignitable, Reactive, or Incompatible Wastes.

ATTACHMENTS

Exhibit IX.A.1: Letter from M.M.P. Quality Inspections, Inc. regarding results of ultrasonic tank testing.

Exhibit IX.A.2: Tank description list.

Exhibit IX.A.3(a): Seismic and design calculations for 200,000 gallon tank.

Exhibit IX.A.3(b): Tank diagram for 200,000 gallon tank.

Exhibit IX.A.4(a): Seismic and design calculations for 50,000 gallon tank.

Exhibit IX.A.4(b): Tank diagram for 50,000 gallon tank.

Exhibit IX.A.5(a): Seismic and design calculations for 25,000 gallon tank.

Exhibit IX.A.5(b): Tank diagram for 25,000 gallon tank.

ATTACHMENTS (continued)

Exhibit IX.A.6(a): Seismic calculations for 10,000 gallon tank.

Exhibit IX.A.6(b): Manufacturer's Certification for 10,000 gallon tank.

Use Only

Date Received
Month Day Year

EPA

United States Environmental Protection Agency
Washington, DC 20460

Hazardous Waste Permit Application Part A

(Read the Instructions before starting)

Use Only

DAWE

I. EPA ID Number(s)

A. EPA ID Number: C A D 9 8 0 8 8 7 4 1 8

B. Secondary ID Number (if applicable)

II. Name of Facility: E V E R G R E E N O I L I N C

III. Facility Location (Physical address not P.O. Box or Route Number)

A. Street: 6 8 8 0 S M I T H A V E N U E

Street (continued)

City or Town: N E W A R K

State: C A

ZIP Code: 9 4 5 6 0 -

County Code (if known)

County Name: A L A M E D A

B. Land Type (enter code): P

C. Geographic Location

LATITUDE (degrees, minutes, & seconds): 3 7 3 1 0 4 5

LONGITUDE (degrees, minutes, & seconds): 1 2 2 0 1 0 0 0

D. Facility Existence Date

Month Day Year: 1 0 1 0 1 9 8 5

IV. Facility Mailing Address

Street or P.O. Box: 6 8 8 0 S M I T H A V E N U E

City or Town: N E W A R K

State: C A

ZIP Code: 9 4 5 6 0 -

V. Facility Contact (Person to be contacted regarding waste activities at facility)

Name (last): M O R G A N

(first): C U R T I S

Job Title: P R E S I D E N T

Phone Number (area code and number): 4 1 5 - 7 9 5 - 4 4 0 0

VI. Facility Contact Address (See Instructions)

A. Contact Address: Location X Mailing X

B. Street or P.O. Box: 6 8 8 0 S M I T H A V E N U E

City or Town: N E W A R K

State: C A

ZIP Code: 9 4 5 6 0 -

PtA to EPA

Type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0246-EPA-OT

I.D. Number (enter from page 1): C A D 9 8 0 8 7 4 1

Secondary ID Number (enter from page 1):

VII. Operator Information (see instructions)

Name of Operator: EVERGREEN OIL INC

Street or P.O. Box: 680 SMITH AVENUE

City or Town: NEWARK | State: CA | ZIP Code: 94560 -

Phone Number (area code and number): 415-795-4400

B. Operator Type: P

C. Change of Operator Indicator: Yes [ ] No [X]

Date Changed: Month / Day / Year

VIII. Facility Owner (see instructions)

A. Name of Facility's Legal Owner: EVERGREEN OIL INC

Street or P.O. Box: 680 SMITH AVENUE

City or Town: NEWARK | State: CA | ZIP Code: 94560 -

Phone Number (area code and number): 415-795-4400

B. Owner Type: P

C. Change of Owner Indicator: Yes [ ] No [X]

Date Changed: Month / Day / Year

IX. SIC Codes (4-digit, in order of significance)

Code	Description
Primary: 2992	PETROLEUM OILS RE-REFINING
Secondary:	
Secondary: 2860	INDUSTRIAL ORGANIC CHEMICAL TREATMENT
Secondary:	

X. Other Environmental Permits (see instructions)

A. Permit Type (enter code)	B. Permit Number	C. Description
	RESOLUTION 970	CONDITIONAL USE PERMIT, NEWARK, CA
	PLANT NO 1190	BAY AREA AIR QUAL. MGMT. DISTRICT
	268	POTW - UNION SANITARY DISTRICT

EPA I.D. Number (enter from page 1)

O	R	D	9	8	[illegible]	8	7	4	1	9	

Secondary ID Number (enter from page 1)

XI. Nature of Business (provide a brief description)

Evergreen Oil Inc. is primarily a waste oil blending and re-refining operation producing fuel oils and lubricating oils as products. The facility will also handle ethylene glycol, spent non-halogenated solvents and spent halogenated solvents. The ethylene glycol and non-halogenated solvents will be stored, treated and transferred. The halogenated solvents will be stored and transferred and may be treated in the future.

XII. Process - Codes and Design Capacities

A. PROCESS CODE - Enter the code from the list of process codes below that best describes each process to be used at the facility. Twelve lines are provided for entering codes. If more lines are needed, attach a separate sheet of paper with the additional information. If a process will be used that is not included in the list of codes below, then describe the process (including its design capacity) in the space provided in Item XIII.

B. PROCESS DESIGN CAPACITY - For each code entered in column A, enter the capacity of the process.

1. AMOUNT - Enter the amount. In a case where design capacity is not applicable (such as in a closure/post-closure or enforcement action) enter the total amount of waste for that process unit.

2. UNIT OF MEASURE - For each amount entered in column B(1), enter the code from the list of unit measure codes below that describes the unit of measure used. Only the units of measure that are listed below should be used.

C. PROCESS TOTAL NUMBER OF UNITS - Enter the total number of units used with the corresponding process code.

PROCESS CODE	PROCESS	APPROPRIATE UNITS OF MEASURE FOR PROCESS DESIGN CAPACITY
	DISPOSAL:	
D79	INJECTION WELL	GALLONS; LITERS; GALLONS PER DAY; OR LITERS PER DAY
D80	LANDFILL	ACRE-FEET OR HECTARE-METER
D81	LAND APPLICATION	ACRES OR HECTARES
D82	OCEAN DISPOSAL	GALLONS PER DAY OR LITERS PER DAY
D83	SURFACE IMPOUNDMENT	GALLONS OR LITERS
	STORAGE:	
S01	CONTAINER (barrel, drum, etc.)	GALLONS OR LITERS
S02	TANK	GALLONS OR LITERS
S03	WASTE PILE	CUBIC YARDS OR CUBIC METERS
S04	SURFACE IMPOUNDMENT	GALLONS OR LITERS
	TREATMENT:	
T01	TANK	GALLONS PER DAY OR LITERS PER DAY
T02	SURFACE IMPOUNDMENT	GALLONS PER DAY OR LITERS PER DAY
T03	INCINERATOR	SHORT TONS PER HOUR; METRIC TONS PER HOUR; GALLONS PER HOUR; LITERS PER HOUR; OR BTU'S PER HOUR
T04	OTHER TREATMENT (Use for physical, chemical, thermal or biological treatment processes not occurring in tanks, surface impoundments or incinerators. Describe the processes in the space provided in Item XIII.)	GALLONS PER DAY; LITERS PER DAY; POUNDS PER HOUR; SHORT TONS PER HOUR; KILOGRAMS PER HOUR; METRIC TONS PER DAY; METRIC TONS PER HOUR; OR SHORT TONS PER DAY

UNIT OF MEASURE	UNIT OF MEASURE CODE
GALLONS	G
GALLONS PER HOUR	E
GALLONS PER DAY	U
LITERS	L
LITERS PER HOUR	H
LITERS PER DAY	V
SHORT TONS PER HOUR	D
METRIC TONS PER HOUR	W
SHORT TONS PER DAY	N
METRIC TONS PER DAY	S
POUNDS PER HOUR	J
KILOGRAMS PER HOUR	R
CUBIC YARDS	Y
CUBIC METERS	C
ACRES	B
ACRE-FEET	A
HECTARES	Q
HECTARE-METER	F
BTU's PER HOUR	K

Please type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0034 Expires 12-31-91
GSA No. 0248-EPA-OT

EPA I.D. Number (enter from page 1): C A [illegible] 9 5 0 [illegible] 8 7 4 1 [illegible]

Secondary ID Number (enter from page 1):

XII. Process – Codes and Design Capacities (continued)

EXAMPLE FOR COMPLETING ITEM XII (shown in line numbers X-1 and X-2 below). A facility has two storage tanks, one tank can hold 200 gallons and the other can hold 400 gallons. The facility also has an incinerator that can burn up to 20 gallons per hour.

Line Number	A. PROCESS CODE (from list above)	B. PROCESS DESIGN CAPACITY 1. AMOUNT (specify)	B. 2. UNIT OF MEASURE (enter code)	C. PROCESS TOTAL NUMBER OF UNITS	FOR OFFICIAL USE ONLY	
X-1	S02	600	G	002		
X-2	T03	20	E	001		
1	S01	8250	G	150		drums
2	T04	54,800	U	001		oily waste processing
3	T04	2470	U	001		et. glycol treatment
4	T01	1100	U	001		hc. solvent treatment
5	T01	1400	U	001		xhc. solvent treatment
6	S02	40,000	G	002		solvent storage
7	S02	1,400,000	G	036		oil storage
8						
9						
10						
11						
12						

***NOTE:** If you need to list more than 12 process codes, attach an additional sheet(s) with the information in the same format as above. Number the lines sequentially, taking into account any lines that will be used for additional treatment processes in Item XIII.*

XIII. Additional Treatment Processes (follow instructions from Item XII)

Line Number (enter numbers in sequence with Item XII)	A. PROCESS CODE	B. TREATMENT PROCESS DESIGN CAPACITY 1. AMOUNT (specify)	B. 2. UNIT OF MEASURE (enter code)	C. PROCESS TOTAL NUMBER OF UNITS	D. DESCRIPTION OF PROCESS
	T04	54,800	U	001	Re-refining lubricating and fuel oils and fuel blending
	T04	2470	U	001	Treatment of ethylene glycol
	T04				
	T04				

EPA I.D. Number (enter from page 1): C A D 9 8 0 8 8 4 ...

Secondary ID Number (enter from page 1)

XIV. Description of Hazardous Wastes

A. EPA HAZARDOUS WASTE NUMBER - *Enter the four-digit number from 40 CFR, Part 261 Subpart D of each listed hazardous waste you will handle. For hazardous wastes which are not listed in 40 CFR, Part 261 Subpart D, enter the four-digit number(s) from 40 CFR, Part 261 Subpart C that describes the characteristics and/or the toxic contaminants of those hazardous wastes.*

B. ESTIMATED ANNUAL QUANTITY - *For each listed waste entered in column A estimate the quantity of that waste that will be handled on an annual basis. For each characteristic or toxic contaminant entered in column A estimate the total annual quantity of all the non-listed waste(s) that will be handled which possess that characteristic or contaminant.*

C. UNIT OF MEASURE - *For each quantity entered in column B enter the unit of measure code. Units of measure which must be used and the appropriate codes are:*

ENGLISH UNIT OF MEASURE	CODE	METRIC UNIT OF MEASURE	CODE
POUNDS	P	KILOGRAMS	K
TONS	T	METRIC TONS	M

If facility records use any other unit of measure for quantity, the units of measure must be converted into one of the required units of measure taking into account the appropriate density or specific gravity of the waste.

D. PROCESSES

1. PROCESS CODES:

For listed hazardous waste: For each listed hazardous waste entered in column A select the code(s) from the list of process codes contained in Item XII A. on page 3 to indicate how the waste will be stored, treated, and/or disposed of at the facility.

For non-listed hazardous waste: For each characteristic or toxic contaminant entered in column A, select the code(s) from the list of process codes contained in Item XII A. on page 3 to indicate all the processes that will be used to store, treat, and/or dispose of all the non-listed hazardous wastes that processes that characteristic or toxic contaminant.

NOTE: THREE SPACES ARE PROVIDED FOR ENTERING PROCESS CODES. IF MORE ARE NEEDED:

1. *Enter the first two as described above.*
2. *Enter "000" in the extreme right box of Item XIV-D(1).*
3. *Enter in the space provided on page 7, Item XIV-E, the line number and the additional code(s).*

2. PROCESS DESCRIPTION: *If a code is not listed for a process that will be used, describe the process in the space provided on the form (D.(2)).*

NOTE: HAZARDOUS WASTES DESCRIBED BY MORE THAN ONE EPA HAZARDOUS WASTE NUMBER - Hazardous wastes that can be described by more than one EPA Hazardous Waste Number shall be described on the form as follows:

1. *Select one of the EPA Hazardous Waste Numbers and enter it in column A. On the same line complete columns B, C, and D by estimating the total annual quantity of the waste and describing all the processes to be used to treat, store, and/or dispose of the waste.*
2. *In column A of the next line enter the other EPA Hazardous Waste Number that can be used to describe the waste. In column D(2) on that line enter "Included with above" and make no other entries on that line.*
3. *Repeat step 2 for each EPA Hazardous Waste Number that can be used to describe the hazardous waste.*

EXAMPLE FOR COMPLETING ITEM XIV (shown in line numbers X-1, X-2, X-3, and X-4 below) - A facility will treat and dispose of an estimated 900 pounds per year of chrome shavings from leather tanning and finishing operation. In addition, the facility will treat and dispose of three non-listed wastes. Two wastes are corrosive only and there will be an estimated 200 pounds per year of each waste. The other waste is corrosive and ignitable and there will be an estimated 100 pounds per year of that waste. Treatment will be in an incinerator and disposal will be in a landfill.

Line Number	A. EPA HAZARD WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESS (1) PROCESS CODES (enter)	D. PROCESS (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
X 1	K 0 5 4	900	P	T 0 3 D 8 0	
X 2	D 0 0 2	400	P	T 0 3 D 8 0	
X 3	D 0 0 1	100	P	T 0 3 D 8 0	
X 4	D 0 0 2				Included With Above

EPA I.D. Number (enter from page 1) CAD980587415

Secondary ID Number (enter from page 1)

XIV. Description of Hazardous Wastes (continued)

Line Number	A. EPA HAZARDOUS WASTE NO. (enter code)	B. ESTIMATED ANNUAL QUANTITY OF WASTE	C. UNIT OF MEASURE (enter code)	D. PROCESSES (1) PROCESS CODES (enter)	D. PROCESSES (2) PROCESS DESCRIPTION (If a code is not entered in D(1))
1	F001	1850	T	S01 S02	CA Codes 211, 213
2	F002			S01 S02	included in F001 above
3	F003			S01 S02	included in F001 above
4	D001	1380	T	S01 S02 T04	
5	D018	83,400	T	S02 T01 T04	
6	D019		T	S01 S02	included in Line 5 above
7	D022		T	S01 S02	
8	D027		T	S01 S02	
9	D028		T	S01 S02	
10	D029		T	S01 S02	
11	D030		T	S01 S02	
12	D032		T	S01 S02	
13	D033		T	S01 S02	
14	D008		T	S01 S02 T04	
15	D035		T	S01 S02	
16	D036		T	S01 S02	
17	D005		T	S01 S02 T04	
18	D007		T	S01 S02 T04	
19	D039		T	S01 S02	
20	D040		T	S01 S02	
21	D041		T	S01 S02	
22	D042		T	S01 S02	
23	NON E	83,400	T	S02 T01 T04	CA Codes 221,222,223,241
24	NON E	3800	T	S01 S02 T01 T04	CA Code 134
25					
26					
27					
28					
29					
30					
31					
32					
33					

Please print or type in the unshaded areas only.

EPA I.D. Number (enter from page 1)	Secondary ID Number (enter from page 1)
CAD980887418	

XIV. Description of Hazardous Waste (continued)

E. USE THIS SPACE TO LIST ADDITIONAL PROCESS CODES FROM ITEM D(1) ON PAGE 6.

Line Number	Additional Process Codes (enter)

XV. Map

Attach to this application a topographic map of the area extending to at least one mile beyond property boundaries. The map must show the outline of the facility, the location of each of its existing and proposed intake and discharge structures, each of its hazardous waste treatment, storage, or disposal facilities, and each well where it injects fluids underground. Include all springs, rivers and other surface water bodies in this map area. See instructions for precise requirements.

XVI. Facility Drawing

All existing facilities must include a scale drawing of the facility (see instructions for more detail).

XVII. Photographs

All existing facilities must include photographs (aerial or ground-level) that clearly delineate all existing structures; existing storage, treatment and disposal areas; and sites of future storage, treatment or disposal areas (see instructions for more detail).

XVIII. Certification(s)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Owner Signature C E Morgan — Date Signed Oct 9, 1990

Name and Official Title (type or print)
- Curtis Morgan

Operator Signature C E Morgan — Date Signed Oct 9, 1990

Name and Official Title (type or print)
Curtis Morgan

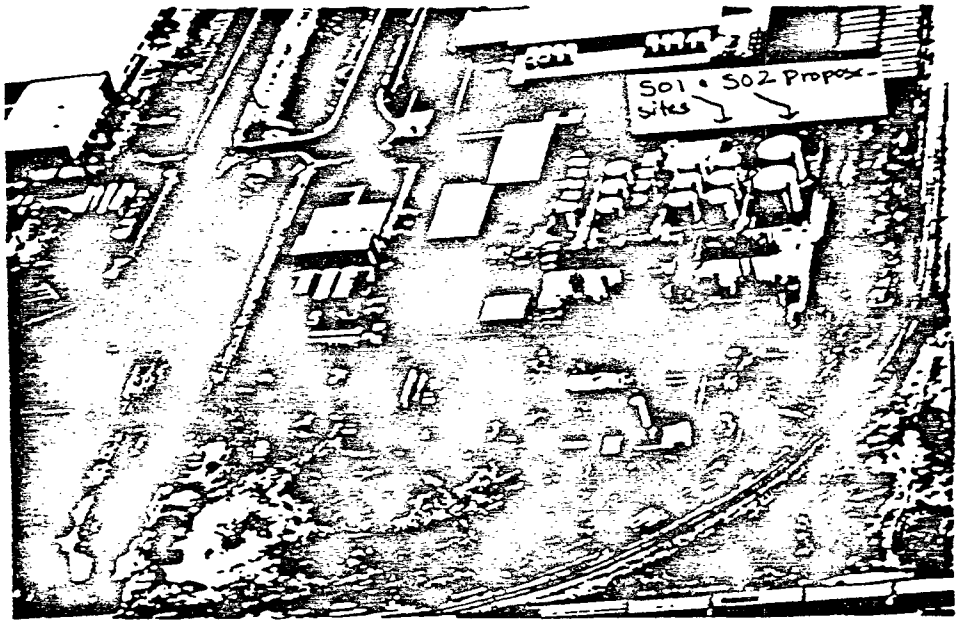
XIX. Comments

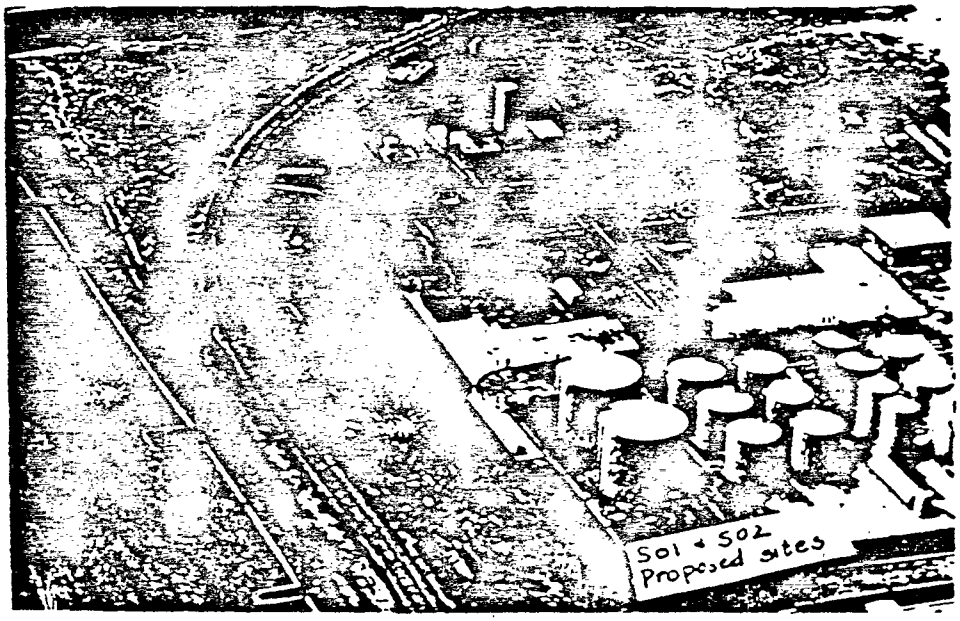
Note: Mail completed form to the appropriate EPA Regional or State Office. (refer to instructions for more information)

Evergreen Oil, Inc.
Newark, California
October 10, 1990

Part A Form
CAD980887418
1396T2

XVII. PHOTOGRAPHS OF THE FACILITY





Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0039 Expires 10-31-91
OMB No. 0246-EPA-OT

Date Received
(For Official Use Only)

91-04-15

X X CAD980887418

EVERGREEN OIL INC. NEWARK.

6880 SMITH AVENUE

NEWARK CA94560-

001 ALAMEDA

SAME -

BURNS JANE

ENVIRON MANAGER 415-795-4400

X

-

VII. Ownership (See

A. Name of Installation's Legal Owner

EVERGREEN HOLDINGS INC

18001 COWAN SUITE C

City or Town: IRVINE State: CA ZIP Code: 92714-

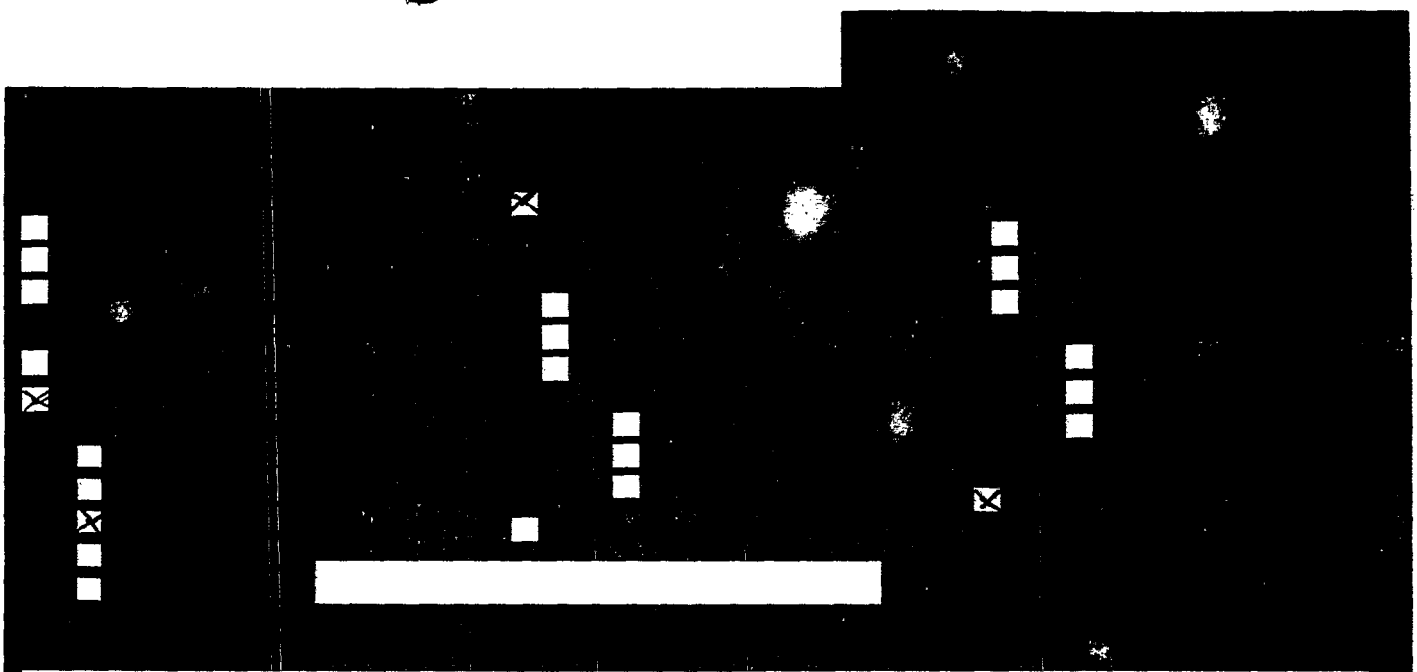
714-757-7770 P P

EPA Form 8700-12 (01-90) Previous edition is obsolete.

Continue on reverse

Please print or type with ELITE type (12 characters per inch) in the unshaded areas only

Form Approved. OMB No. 2050-0028. Expires 10-31-91
GSA No. 0246-EPA-OT



A. Characteristics of Nonlisted Hazardous Wastes. Mark 'X' in the boxes corresponding to the characteristics of nonlisted hazardous wastes your installation handles. *(See 40 CFR Parts 261.20 - 261.24)*

			X	D	0	1	8												

B. Listed Hazardous Wastes. (See 40 CFR 261.31 - 33. See instructions if you need to list more than 12 waste codes.)

C. Other Wastes. (State or other wastes requiring an I.D. number. See instructions.)

2	2	1		2	2	2		2	2	3		2	4	1		1	3	4	

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

Signature	Name and Official Title *(type or print)*	Date Signed
Scott G Colpitts	SCOTT G. COLPITTS, MGR PLANNING	1/31/91

Waste Codes listed in Section IX. C. are regulated in California.

Note: Mail completed form to the appropriate EPA Regional or State Office. (See Section III of the booklet for addresses.)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, Ca. 94105

TOXIC CHARACTERISTIC NOTIFIER

The Toxic Characteristic Rule, promulgated on March 29, 1990, redefines the characteristic of toxicity under RCRA. Your notification indicates that you are handling waste with toxic characteristics. In order for EPA to process your notification in a timely manner, we need the following information:

[X] I am a new notifier under the Toxic Characteristic Rule.

Please list the specific four-character EPA hazardous waste codes which pertain to you. For guidelines on determining the correct four-character code, see 40 Code of Federal Regulations 261.30-33. Some of the Toxic Characteristic Constituents are printed on the reverse of this form.

D	0	1	8												

[ ] I have marked TOXIC by error. I have attached a corrected Notification. I may make comments in the area below.

[ ] I am a subsequent notifier whose activity is changing under the TC Rule. I have enclosed a Notification of Regulated Waste Activity (form 8700-12).

You can assist us by specifying what changes are to be made to our records (i.e. adding waste codes, change in waste activity, new contact person, etc.).
If there are no changes, you are NOT REQUIRED TO NOTIFY.

Note: The deadline for notifying the EPA of your waste activity under TC has already passed. Your prompt attention to this matter is required.

COMPLETE IN FULL and submit your Notification along with this letter to:

Sincerely,

U.S. EPA
PRC (H-2-3)
594 Howard St. Ste. 401
San Francisco, CA 94105
415-546-3176

James Sayer
RCRA Notifications Coordinator
Hazardous Waste Management Division

EVERGREEN OIL, NEWARK, CA

Evergreen Holdings Inc.

January 31, 1991

Mr. Ross Lyon
U.S. EPA
PRC(H-2-3)
594 Howard Street
Suite 401
San Francisco, CA 94105

Dear Ross:

Last June, Evergreen submitted "Notification of Hazardous Waste Activity" forms to the EPA for several facilities last June. Evidently the forms used were correct, but not the latest revision. Per your request, the correct forms have been filled out and returned to you. Forms are enclosed for the following facilities:

Evergreen Oil Inc. Newark
6880 Smith Avenue
Newark, CA 94560

Evergreen Oil Inc. Redding
501 Clear Creek Road
Redding, CA 96001

Evergreen Oil Inc. Davis
Road 30B
Davis, CA 95616

Evergreen Oil Inc. Fresno
4139 North Valentine
Fresno, CA 93711

Evergreen Oil Inc. Ripon
777 South Locust Avenue
Ripon, CA 95366

Evergreen Oil Inc. Santa Maria
745 West Betteravia
Santa Maria, CA 93454

Evergreen Oil Inc. Vallejo
Lake Herman Road
Vallejo, CA 95491

Evergreen Services Fullerton
336 East Santa Fe Avenue
Fullerton CA, 92632

Thank you for your help.

Yours truly,

Scott G. Colpitts
Manager, Planning and Economics

18001 COWAN, SUITES C & D, IRVINE, CALIFORNIA 92714, U.S.A.
TEL: (714) 757-7770 ● TELEX: 4722059 ● FAX: (714) 474-9149

STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY GEORGE DEUKMEJIAN, Governor

DEPARTMENT OF HEALTH SERVICES
2151 Berkeley Way
Berkeley, CA 94704

Facility: Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

Operator: (until completion of construction)
Evergreen Oil, Inc.
c/o California Oil Recycler
977-A Bransten Road
San Carlos, CA 94070
(after construction completed same as above)

HAZARDOUS WASTE FACILITY PERMIT

Number: CAX000244046

Effective Date: October 10, 1985

Expiration Date: October 10, 1990

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Pursuant to Section 25200 of the California Health and Safety Code, this Hazardous Waste Facility Permit is hereby granted to Evergreen Oil, Inc. subject to the conditions set forth in Attachement A which by this reference is incorporated herein.

Richard P. Wilcoxon, Chief
Toxic Substances Control Division

Oct 10, 1985
Date

HWFP

INDEX

Attachment

I. Description of Facility

A. Ownership, Operations, and Location

B. Compliance with California Environmental Quality Act

II. General Conditions

A. References and Terminology

B. Effect of Permit

C. Permit Actions

D. Need to Halt or Reduce Activity

E. Severability

F. Operation Plan

G. General Responsibilities of Operator

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2. Reapplication

3. Permit Expiration

4. Transfer of Permit

5. Mitigation

6. Operation and Maintenance

7. Submittal of Requested Information

8. Hazardous Waste List

9. Inspection and Entry

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11. Anticipated Noncompliance

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13. Other Noncompliance

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5. Uncertified Hauler

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L. Inspections

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N. Contingency Plan

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S. Financial Responsibility

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ATTACHMENT A

Hazardous Waste Facility Permit

EVERGREEN OIL, INC.
6880 SMITH AVENUE
NEWARK, CA 94560

I. DESCRIPTION OF FACILITY

A. Ownership, Operations, and Location

Evergreen Oil, Inc. is an independent corporation privately held by Kinetics Technology International Inc., Mr. Kip Prahl and Mr. Kirk Hayward.

Evergreen Oil, Inc., hereinafter called the owner and/or operator, has applied to the California Department of Health Services for a permit to operate a hazardous waste resource recovery facility located at 6880 Smith Avenue, Newark, Alameda County.

The facility's permitted operations are the storage and treatment of waste lubricating oils. Waste and product are stored in tanks and treated using tanks and appropriate petroleum refining equipment and techniques.

The design capacity of the used oil storage tanks is 520,000 gallons. The design process capacity is 17 gallons per minute. The design storage capacity for used oil and product is 1,045,000 gallons.

All used oils are brought to the facility from off-site. No oils containing PCB's at hazardous levels, i.e. above 5 ppm, shall be accepted by this facility.

B. Compliance with the California Environmental Quality Act

This facility filed a negative declaration with the city of Newark to fulfill California Environmental Quality Act (CEQA) requirements. A public hearing was held regarding this project on October 25, 1983.

The negative declaration and a conditional use permit were approved at this hearing.

II. GENERAL CONDITIONS

A. References and Terminology

All parts in this permit are identified by Roman numerals. The items set forth in each part shall apply to the owner, operators, and/or facility in addition to the items set forth in any preceding and/or

June 11, 1991
FPB

STATE OF CALIFORNIA - HEALTH AND WELFARE AGENCY

DEPARTMENT OF HEALTH SERVICES
TOXIC SUBSTANCES CONTROL PROGRAM
700 HEINZ AVE BLDG F, STE 200
BERKELEY, CA 94710

FILE COPY

Curtis Morgan
President
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

should be 1990 pmb

Dear Mr. Morgan:

NOTICE OF DEFICIENCY FOR EVERGREEN OIL, INC., 6880 SMITH AVENUE, NEWARK, CA., EPA ID NO. CAD 980 887 418

The U.S. Environmental Protection Agency (EPA) and the Department of Health Services (Department) have completed review of Evergreen Oil Inc.'s (EOI) Part B Application for permit renewal and facility modification, dated November 30, 1991. The Part B Application was reviewed in accordance with the EPA Part B Application Completeness/Technical Evaluation Checklist (checklist). We have found that the information provided does not fully comply with the regulations set forth in Title 40, Code of Federal Regulations (CFR) and Title 22, California Code of Regulations (CCR). Additional information is needed to complete your application. This information must be submitted to our office by July 31, 1991.

The enclosed Notice of Deficiency (NOD) and Part B Checklist identify the information necessary to bring your Part B Application into full compliance with State and federal requirements. The major issues to be addressed and considered in the revision of the Part B Application are the following:

1. EOI proposes several facility modifications. One of these is the use of railcars. This information was briefly mentioned in the Part B but was not stated in detail as a proposed modification.

2. The Department is aware that EOI is applying for a variance to increase the flow rate. However, this information is not addressed in the Part B. Information requested by Jose Del Rosario of the Department must also be submitted in the revised Part B Application. The City of Newark Planning Department must be notified of the flow rate increase. This activity may require the Conditional Land Use Permit to be amended.

3. The ethylene glycol treatment unit was thought to have been installed at EOI at the time the ethylene glycol variance was issued. However, the Department realizes that was not

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EPA review of Pt A

the case. Since installing the ethylene glycol tanks and containment will trigger the amendment of the Conditional Land Use Permit, the Department encourages EOI to work very closely with the City of Newark Planning Department. All correspondence with the City must be carbon copied to the Department.

In addition, information on the new tanks and on the secondary containment, meeting the requirements outlined in the checklist, sections D-2(a), (c), and (d) [40 CFR, 270.16 264.191 through 264.194], must be provided.

4. The City of Newark Planning Department must also be notified of the proposed railcar loading/unloading area. The construction of this area may require the Conditional Land Use Permit to be amended.

5. The oil/water separators (Units X-453, X-454) are hazardous waste treatment units. Therefore, additional information must be provided to meet State and federal regulations.

6. If a pre-acceptance waste analysis plan exists, it must be revised to ensure wastes transported to EOI are indeed acceptable wastes.

7. Please note that all applicable rules and regulations for the following units must be addressed in the revised Part B Application:

   a. railcar loading/unloading area;
   b. ethylene glycol, waste oils and hydrocarbon solvents storage and treatment units;
   c. storage area for halogenated solvents;
   d. oil/water separators;
   e. truck loading/unloading area; and
   f. sumps that collect hazardous wastes.

8. A copy of the RCRA Facility Assessment Questionnaire must be provided in the revised Part B Application to meet the corrective actions requirements outlined in 40 CFR, Section 264.101.

9. The Organic Air Emissions Checklist must be submitted with the revised Part B Application.

10. If land disposal requirement is not applicable, it must be stated in the revised Part B Application.

11. Comments EOI made in the January 31, 1991 letter must be incorporated into the revised Part B Application.

12. Section 25198 of the Health and Safety Code requires off-site hazardous wastes be analyzed by a State certified laboratory. Certification can be obtained at the Environmental Laboratory Accreditation Program. The telephone number is (415) 540-2800.

13. Many of the maps and engineering drawings presented are poor quality and illegible. Good quality maps and drawings must be provided for effective review. All maps and drawings submitted must be certified by a professional registered engineer in California. Also, all maps must be clearly labelled with an exhibit number.

14. For ease of reference, tabs should be used to divide the various sections.

Two complete copies of the new Part B Application are to be submitted to this office. Pages inserted into the current Part B Application are unacceptable. The new Part B Application must be signed by the Operator and the Property Owner in accordance with 40 CFR 270.10 and 270.11 and Title 22, CCR, Sections 66372 and 66373. In addition, please provide a comment by comment response to the NOD.

A copy of the new Part B Application must also be submitted to:

Mr. Michael Feeley, Chief
U.S. EPA, Region IX
Hazardous Waste Management Division (H-3-2)
75 Hawthorne Street
San Francisco, CA 94105

Please be advised that this will be the only Notice of Deficiency issued by EPA and the Department. The response that is submitted in reply will be the agencies' final permit determination. Additional notices of deficiencies will not be provided. Failure to provide adequate responses to the Notice of Deficiency by the deadline of July 31, 1991 may result in the agencies' decision to issue a Notice of Denial.

If you have any questions, please contact Daisy Lee of the Department at (415) 540-3933 or Karen Scheuermann of EPA at (415) 744-2068.

Sincerely,

Michael R. James

Michael R. James, Chief
Facility Permitting Branch
Region 2
Toxic Substances Control Program

Michael Feeley, Chief
California Permits Section
U.S. EPA, Region IX

Enclosures

cc: Daisy Lee
Department of Health Services
Facility Permitting Branch
700 Heinz Avenue, Bldg. F, Suite 200
Berkeley, CA 94710

Michael R. James
Department of Health Services
Facility Permitting Branch
700 Heinz Avenue, Bldg. F, Suite 200
Berkeley, CA 94710

Steven R. Ritchie
S.F. Bay, RWQCB
2101 Webster Street, Suite 500
Oakland, CA 94612

Rafat Shahid
Alameda County Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

Jane M. Burns
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

Debra Sivas
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, CA 94104-2878

STATE OF CALIFORNIA
DEPARTMENT OF HEALTH SERVICES

SE; Section B, 6

TOXIC SUBSTANCES
CONTROL DIVISION

HAZARDOUS WASTE INSPECTION REPORT

DATE of INSPECTION 6-24-87

FIRM NAME Evergreen Oil, Incorporated

SITE CLASSIFICATION RCRA [ ] Non RCRA [X]

ADDRESS 6880 Smith Avenue

Major [ ] Non Major [X]

Newark, CA 94560

EPA I.D. NUMBER CAD980887418

INSPECTOR Susan Gladstone SG, HMS/WME/AHMS

8-3-87
Date of Submittal

PURPOSE:

Inspection to determine compliance with hazardous waste TSDF permit requirements.

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BACKGROUND:

The facility was issued a Series B Resource Recovery Facility Permit on October 10, 1985. The start-up date for the facility was in October of 1986.

On October 16-20, 1986, and again on December 17-20, 1986, the facility was closed by the Newark Fire Department due to complaints of odors coming from the sewage vents of neighboring facilities. The facility deemed these odors to be non-hazardous.

On October 26, 1986, an explosion and fire occured in the asphalt flux tank (Tank 511B). The facility submitted an incident report to DHS on October 29, 1986, stating that the fire was caused by ignition of vapors by static electricity. On November 18, 1986, the facility issued an addendum report outlining the corrective actions taken.

The facility has obtained a permit to operate from the Bay Area Air Quality Management District, a waste water discharge permit from the Union Sanitary District (see Attachment F), and a variance from the California Regional Water Quality Control Board (no NPDES permit and no reporting required).

OWNERSHIP:

Evergreen Oil, Incorporated
6880 Smith Avenue
Newark, CA 94560

PERSONS PRESENT:

ODORS

Sr. HMS/Sr. WME _____ DATE of REPORT 8.14.87

Evergreen Oil: John Fok, Environmental Specialist

DHS/TSCD: Susan Gladstone, HMS

DESCRIPTION OF FACILITY:

This facility recycles used lubricating oils. The recovery process consists of a dewatering stage, a distillation process, and a hydrofinishing or "polishing" stage which produces fuel oil, lube oil, and asphalt.

The waste oil includes 80% crankcase oil, 10% hydraulic oils and industrial lubricants, and 10% diesel fuel. All waste oil is delivered to the facility from off site.

Waste acceptance procedures were described as follows:

Delivery trucks are weighed before and after offloading to determine the quantity of oil accepted. Prior to offloading, a pre-acceptance analysis is performed to determine the quality of the waste oil and that it is not contaminated with PCB's (see Attachment B). Once the waste is accepted for treatment, it is offloaded to pre-selection tanks (see Attachment G, photos), and eventually re-analyzed for proper selection to feedstock tanks for processing.

The facility operation plan states that virtually all of the waste oil is recovered and sold as product in various forms, producing only a small quantity of waste. Waste from the recovery process includes filter cartridges and bags, tank residues, grit and sludge from oil/water separators, and oil in wash water which is separated and returned to a "slop" tank (Tank 502) and then pumped to the recycling system. Due to intermittant 'down' time since the facility began operations, no waste has been generated from the recovery process.

The facility also has a waste water treatment system (Tanks 512A and B) which treats oil/water sewage, hydrocarbon containing water streams, and water streams from the truck unloading and wash out areas.

OBSERVATIONS:

Violative:

I. Permit conditions: none observed.

II. Generator conditions:

1. The facility failed to clearly mark the date that accumulation begins on each container. The facility has one 55-gallon drum containing scrap metal and wood contaminated with waste oil that will be hauled off as hazardous waste. There are also two drums containing waste oil that the facility has accepted in small amounts from local residents; this will eventually be re-refined. These three containers had no date of

accumulation. This is a violation of California Administrative Code (CAC), Title 22, section 66508 (a)(2).

2. The facility failed to label or mark each container with the words "Hazardous Waste." The above-mentioned containers had no hazardous waste labels. This is a violation of CAC, Title 22, section 66508(a)(3).

3. The facility failed to maintain labels on all non-stationary containers in which hazardous wastes are stored, including the following:

- composition and physical state of the waste
- statement(s) which call attention to the particular hazardous properties of the waste
- name and address of the person producing the waste.

The above-mentioned containers had no such labeling. This is a violation of CAC, Title 22, section 66508(c).

Other:

1. The facility accepts small amounts of drained crankcase oil from local residents; there were two drums located in the truck unloading area for this purpose. This area is bermed so that if container spillage occurs, it can be contained.

2. The facility has extensive portable and stationary fire fighting equipment on site. They have been working with the local fire department to set up an on-site emergency training program for fire fighters and plant operators.

3. General housekeeping of the facility was good.

4. Records relating to hazardous waste management were well organized. The training program was in a manual type of format and included job descriptions; each operator receives her/his own manual when hired and takes a series of training courses and tests.

DISCUSSION WITH MANAGEMENT:

J. Fok discussed the corrective actions taken after the asphalt fire in October, 1986. He stated that nitrogen is continuously pumped into the top of the asphalt tanks (described as a nitrogen blanket). The facility's consultants determined that removal of any oxygen from the system would decrease the chances of ignition occuring.

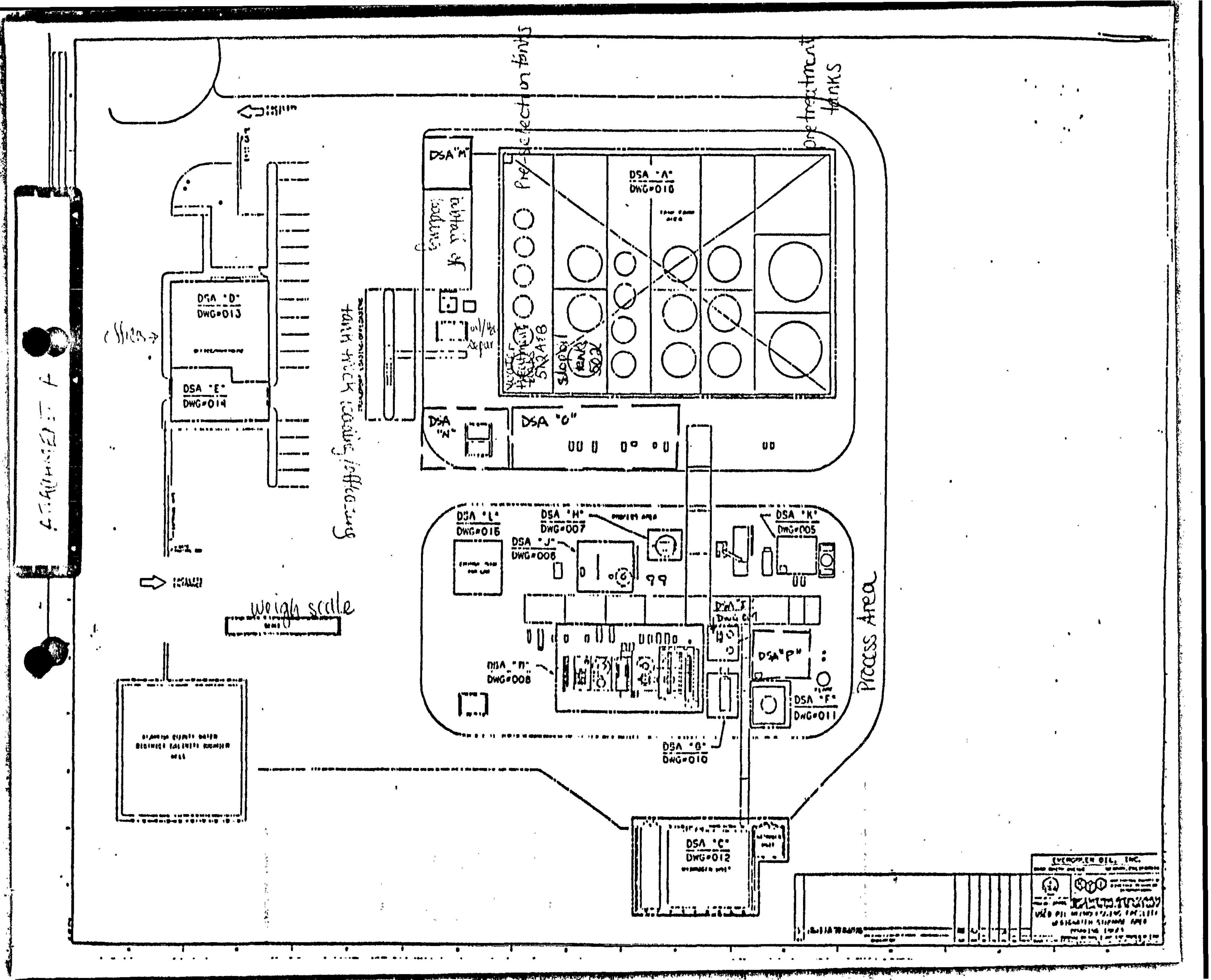
We discussed the complaints of odor problems; J. Fok stated that the odors came from the water treatment unit and the asphalt tanks. He stated that double carbon canisters were installed to reduce any mercaptan odors (see Attachment G, photo).

We discussed the unlabelled containers of oil-contaminated scrap and I stated that any hazardous waste generated and accumulated on site would need to be properly labelled. I told him he would

be receiving a letter specifying violations observed during the inspection, and required corrective actions.

ATTACHMENTS:

Attachment A: site map
Attachment B: sample pre-acceptance laboratory report
Attachment C: sample receipts and manifests
Attachment D: sample daily inspection log sheet
Attachment E: 1986 Used Oil Recycling Facility Annual Report
Attachment F: Union Sanitary District discharge permit
Attachment G: photographs
Attachment H: permit checklist
Attachment I: generator checklist
Attachment J: CMEL
Attachment K: HARP


ATTACHMENT F
DSA "A"
DWG#010
DSA "C"
DWG#012
DSA "D"
DWG#013
DSA "E"
DWG#014
DSA "F"
DWG#011
DSA "G"
DWG#010
DSA "H"
DWG#007
DSA "J"
DWG#006
DSA "K"
DWG#005
DSA "L"
DWG#016
DSA "M"
DSA "N"
DSA "O"
DSA "P"
DWG#008
Process Area
pre-treatment tanks
pre-selection tanks
weigh scale
tank truck loading/offloading
office
EVERGREEN OIL, INC.

ATTACHMENT B

EVERGREEN OIL, INC.

LAB REPORT

DATE: 4/29/87

MANIFEST NO.	CUSTOMER/DRIVER/TRUCK NO.	TYPE WASTE	GROSS GALLONS	% H_2O	API @ 60°F	FLASH	SPOT	LUX	CHLORINE	NET GALLONS
#657379	Cori #8 Vervalen	Used Oil	1977	6%	27.0	160°	pass	pass	pass	1554
8626793	Cori Eddie	Used Oil	1984	4.2	27.7	160°	pass	pass	pass	1900
655263	Cori 510 Russ	Used Oil	7767	13%	24.5	160°	pass	pass	pass	6318
			11,218							10,072

Evergreen O[illegible]

6880 Smith Ave.
Newark, CA 94560
(415) 795-4400

King Oil

Receiving Ticket NO.: 00815

DRIVER: BRAD TRUCK NO.: 510 TRAILER NO: 511

DRIVERS EST GALLONS: _____ GROSS GAL 6677 NET GALS 6089

PRODUCT: WASTE oil BS&W: 8.8 API Gravity 26.8 TEMP 60°

HAULER: LORI EPA ID NO.: _____

HWM NO: 86261129

PRINT HERE LOADER: JON

PRINT HERE TANK NO. SOLD

EPA ID: CAD 980887418

GROSS WT [illegible] 12:07

TARE [illegible] 12:07

NET WT. 49700

98

procedures for determination of quantity of oil delivered:

1. truck weigh-in before and after unloading to determine gross number of gallons of waste oil

2. laboratory determines the percent water in the sample; subtracts that amount to determine the net gallons of oil for fees purposes

note: discrepancy on manifest #8626119 between the number of gallons entered on the manifest (6626) and the gross gallons on the receipt (6677) is due to an amount estimated by the hauler at the time of acceptance from each generator.

California—Health and Welfare Agency

Department of Health Services
Toxic Substances Control Division
Sacramento, California

print or type. *(Form designed for use on elite (12-pitch) typewriter.)*

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No.: CAD980158524 | Manifest Document No.: 61129
2. Page 1 of 1

Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address
KING OIL
133 BOBLINK
HERCULES, CA
4. Generator's Phone (415) 233-7200

A. State Manifest Document Number: 86261129

B. State Generator's ID

5. Transporter 1 Company Name: CALIFORNIA OIL RECYCLERS
6. US EPA ID Number: CAD980695761

C. State Transporter's ID: 707185 / 70456

D. Transporter's Phone: 800-972-5284

7. Transporter 2 Company Name
8. US EPA ID Number

E. State Transporter's ID

F. Transporter's Phone

9. Designated Facility Name and Site Address
EVERGREEN OIL
6880 SMITH AVE.
NEWARK, CA. ~~94070~~ 94560
10. US EPA ID Number: CAD980887418

G. State Facility's ID: CAD980887418

H. Facility's Phone: (415) 795-4400

	11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. X	WASTE PETROLEUM COMBUSTIBLE LIQUIDS NA 1270	0102	TT	6626	G	221
b.						
c.						
d.						

J. Additional Descriptions for Materials Listed Above
1.1 Waste oil - 91.2%
1.2 Waste Water - 8.8%

K. Handling Codes for Wastes Listed Above
01

15. Special Handling Instructions and Additional Information
WEAR RUBBER GLOVES

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.

Unless I am a small quantity generator who has been exempted by statute or regulation from the duty to make a waste minimization certification under Section 3002(b) of RCRA, I also certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and I have selected the method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment.

Printed/Typed Name	Signature	Month Day Year
BRAD CAMERON	Brad Cameron	1 16 1287

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month Day Year
BRAD CAMERON	Brad Cameron	1 16 1287

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month Day Year

19. Discrepancy Indication Space

20. Facility Owner or Operator Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19

Printed/Typed Name	Signature	Month Day Year
JONATHAN RITA	Jonathan Rita	10 16 1287

86261129

DHS 8022 A (11/85)
(EPA 8700—22)

White: TSDF SENDS THIS COPY TO DOHS WITHIN 30 DAYS
To: P.O. Box 3000, Sacramento CA 95812

State of California—Health and Welfare Agency

Please print or type. *(Form designed for use on elite (12-pitch) typewriter)*

Department of Health Services
Toxic Substances Control Division
Sacramento, California

UNIFORM HAZARDOUS WASTE MANIFEST

1. Generator's US EPA ID No. CAD980695761	Manifest Document No. 61191	2. Page 1 of 1	Information in the shaded areas is not required by Federal law.

3. Generator's Name and Mailing Address
CALIFORNIA OIL RECYCLERS, INC.
6880 Smith Avenue, Newark, CA 94560

4. Generator's Phone (415) 795-4410

A. State Manifest Document Number 86261914

B. State Generator's ID

5. Transporter 1 Company Name: CALIFORNIA OIL RECYCLERS, INC.
6. US EPA ID Number: CAD980695761

C. State Transporter's ID 707182

D. Transporter's Phone (415) 795-4410

7. Transporter 2 Company Name
8. US EPA ID Number

E. State Transporter's ID

F. Transporter's Phone

9. Designated Facility Name and Site Address
EVERGREEN OIL, INC.
6880 Smith Avenue
Newark, CA 94560

10. US EPA ID Number: CAD980887418

G. State Facility's ID: CAD980887418

H. Facility's Phone: (415) 791-1311

11. US DOT Description (Including Proper Shipping Name, Hazard Class, and ID Number)	12. Containers No.	Type	13. Total Quantity	14. Unit Wt/Vol	I. Waste No.
a. X WASTE PETROLEUM OIL, NOS COMBUSTIBLE LIQUID, NA 1270	001	TT	1575	G	221
b.					
c.					
d.					

J. Additional Descriptions for Materials Listed Above
1.1 - Waste Oils 94%
1.2 - Waste Water 6.0%
API: %

K. Handling Codes for Wastes Listed Above
01

15. Special Handling Instructions and Additional Information
Wear Rubber Gloves

16. GENERATOR'S CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and national government regulations.
Unless I am a small quantity generator who has been exempted by statute or regulation from the duty to make a waste minimization certification under Section 3002(b) of RCRA, I also certify that I have a program in place to reduce the volume and toxicity of waste generated to the degree I have determined to be economically practicable and I have selected the method of treatment, storage, or disposal currently available to me which minimizes the present and future threat to human health and the environment.

Printed/Typed Name	Signature	Month Day Year
MARK Ver Valen	Mark Ver Valen	06 11 87

17. Transporter 1 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month Day Year
MARK Ver Valen	Mark Ver Valen	06 11 87

18. Transporter 2 Acknowledgement of Receipt of Materials

Printed/Typed Name	Signature	Month Day Year

19. Discrepancy Indication Space
Act 9ab-1494

20. Facility Owner or Operator: Certification of receipt of hazardous materials covered by this manifest except as noted in Item 19.

Printed/Typed Name	Signature	Month Day Year
LORETTA JACK	Loretta Jack	06 11 87

GENERATOR / TRANSPORTER / FACILITY

86261914

DHS 8022 A (11/85)
(EPA 8700—22)

White: TSDF SENDS THIS COPY TO DOHS WITHIN 30 DAYS
To: P.O. Box 3000, Sacramento CA 95812

ATTACHMENT

Submitted from Inspector LOG

EVERGREEN OIL INC
6880 Smith Avenue
Newark, CA 94560

Report No: 87-157
Report Date: 6-6-87

INSPECTION CHECKLIST AND SCHEDULE
SHIFT AND DAILY INSPECTIONS

	SHIFT	INSPECTOR (NAME)	TIME	STATUS OK	STATUS NOT OK	NOTES	ACTION NEEDED? (Y/N)	ACTION COMPLETED (DATE)	ADDTNL REMARKS
STORAGE TANKS:	1400	GAB	0600	✓					
Check for signs of spills	0200				✓	SD1, SD4	Y		
Check tank level gauges				✓					
Check for leaking flanges, valves, connections				✓					
Check tank shells				✓					
Check for tank bottom leaks				✓					
Check overflows for obstructions				✓					
OIL TRANSFER SYSTEMS:				✓					
Check for signs of spills				✓					
Check for leaking flanges, valves, connections				✓					
Check pump seals/stuffing boxes				✓					
Check filters				✓					
Check instrumentation				✓					
LOADING/UNLOADING AREA:				✓					
Check for signs of spills				✓					
Check hoses and loading arm				✓					
Check dry-break couplings				✓					
Check drain channels for obstructions				✓					
PROCESSING EQUIPMENT:				✓					
Check for signs of spills				✓					
Check for leaking flanges, valves, connections				✓					
Check pump seals/stuffing boxes				✓					
Check instrumentation				✓					
OIL/WATER SEPARATORS:				✓					
Check oil skimmers				✓					
Check oil pump out system				✓					
Check sump pump, loading/unloading area				✓					
STORAGE TANK INVENTORY:				✓					
Check correct tank labelling				✓					
Check overflow sump and pump				✓					

State of California—Health and Welfare Agency

ATTACHMENT E

Department of Health Services
Toxic Substances Control Division
Sacramento, California

USED OIL HAULER/USED OIL TRANSFER FACILITY/USED OIL RECYCLING FACILITY ANNUAL REPORT

INSTRUCTIONS

Pursuant to Article 13, Division 20, Health and Safety Code, an annual report must be submitted by used oil haulers, used oil transfer facilities, and used oil recycling facilities. Please submit this report no later than March 1 for the previous calendar year. If additional space is required for any item, attach additional sheets indicating section and item number. Check box if attachments are included: ☐

Each company need complete only one report. If more than one transfer facility is operated, combine the data in Section C. To request forms or obtain assistance in completing the report, please call (916) 324-1807. Mail completed reports to: Department of Health Services, Toxic Substances Control Division, Alternative Technology Section, 714 P Street, Sacramento, California 95814.

SECTION A (to be completed by all)

COMPANY NAME AND MAILING ADDRESS	TELEPHONE NUMBER	EPA IDENTIFICATION NUMBER
Evergreen Oil, Inc. 6880 Smith Avenue Newark, CA 94560	415-795-4400	CAD980887418

HAULER	TRANSFER FACILITY	RECYCLING FACILITY
☐	☐	XX

CERTIFICATION:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Dave Dragt	General Manager	Dave Dragt	2/28/87
Print/Type Name	Title	Signature of Authorized Representative	Date

SECTION B (to be completed by USED OIL HAULERS only)

1. Volume of Each Type of Used Oil Transported Identified By (Include the U.S. DOT description, proper shipping name, hazard class, and ID number for each item.):

a.	Lubricating fluids	_____ gallons
b.	Hydraulic oil	_____ gallons
c.	Refrigeration oil	_____ gallons
d.	Metal working oil	_____ gallons
e.	Fuel oil	_____ gallons
f.	Other (specify)	_____ gallons

2. Name, Address, Telephone Number, and EPA Identification Number for Each Facility to Which Used Oil was Transported:

Name/Address		Name/Address	
EPA Identification Number	Telephone Number	EPA Identification Number	Telephone Number
Name/Address		Name/Address	
EPA Identification Number	Telephone Number	EPA Identification Number	Telephone Number

DHS 8364 (12/86)

	Oil in possession at beginning of reporting period (January 1)	_____	gallons
	Used oil in possession at end of reporting period (December 31)	_____	gallons
5.	Difference (Subtract item 4 from item 3.)	_____	gallons (+/–)

AMOUNT OF USED OIL COLLECTED FROM (including bottom sediment and water):

6.	Collection stations (service stations, shops, garages, recycling centers, etc.)	_____	gallons
7.	Agricultural sources	_____	gallons
8.	Industrial sources	_____	gallons
9.	Governmental sources	_____	gallons
10.	Other used oil haulers, storage facilities	_____	gallons
11.	Outside California (Specify state or country.) _____	_____	gallons
12.	Others (Specify.) _____	_____	gallons
13.	Total amount of used oil collected (Add items 1.a–1.f or items 6–12.)	_____	gallons

AMOUNT OF USED OIL TAKEN TO:

14.	Used oil haulers	_____	gallons
15.	Used oil storage facilities (transfer facilities)	_____	gallons
16.	Used oil recycling facilities for processing	_____	gallons
17.	Permitted facilities for incineration	_____	gallons
18.	Outside California (Specify state or country.) _____ _____	_____	gallons
19.	Others (Specify.) _____ _____	_____	gallons
20.	Bottom sediment and water generated as a waste	_____	gallons
21.	Total amount of used oil transported to others (Add items 14–20.)	_____	gallons

SECTION C (to be completed by USED OIL TRANSFER FACILITIES only)

1.	Used oil in possession at beginning of reporting period (January 1)	_____	gallons
2.	Used oil in possession at end of reporting period (December 31)	_____	gallons
3.	Difference (Subtract item 2 from item 1.)	_____	gallons (+/–)

AMOUNT OF USED OIL RECEIVED FROM (including bottom sediment and water):

4.	Used oil haulers	_____	gallons
5.	Others (Specify.) _____	_____	gallons
6.	Total amount of used oil received at facility (Add items 4 and 5.)	_____	gallons

AMOUNT OF USED OIL TRANSFERRED:

7.	To used oil haulers	_____	gallons
8.	To others (Specify.) _____ _____ _____ _____ _____ _____	_____	gallons
9.	As a waste (bottom sediment and water)	_____	gallons
10.	Total amount of used oil transferred from facility (Add items 7–9.)	_____	gallons

SECTION D (to be completed by RECYCLING FACILITIES only)

1.	Used oil in possession at beginning of reporting period (January 1)	–0–	gallons
2.	Used oil in possession at end of reporting period (December 31)	116,579	gallons
3.	Difference (Subtract item 2 from item 1.)	116,579 (+)	gallons (+/–)

AMOUNT OF USED OIL RECEIVED FROM (including bottom sediment and water):

4.	Used oil haulers	900,056	gallons
5.	Outside California (Specify state or country.) _____	–0–	gallons
6.	Others (Specify.) _____ _____	–0–	gallons
7.	Amount of used oil received at facility (Add items 4–6.)	900,056	gallons

AMOUNT OF USED OIL MANAGED AT FACILITY:

8.	Re-refined as motor vehicle oil	–0–	gallons
9.	Re-refined as industrial oil	–0–	gallons
10.	Processed into fuel oil	430,976	gallons
11.	Processed into asphalt	118,554	gallons
12.	Processed into road oil	_____	gallons
13.	Consumed in the process of preparing for reuse (burned for energy recovery)	89,938	gallons
14.	Transferred to another facility for processing/treatment	_____	gallons
15.	Generated as a nonhazardous waste (e.g., water)	144,009	gallons
16.	Generated as a hazardous waste	_____	gallons
17.	Others (Specify.) _____	_____	gallons
18.	Total amount of used oil recycled (Add items 8–13.)	639,468	gallons
19.	Total amount of used oil managed (Add items 8–17.)	783,477	gallons

ATTACHMENT F

[illegible] 6-24-87

UNION SANITARY DISTRICT
A Public Agency
37532 DUSTERBERRY WAY
FREMONT, CA 94536
(415) 790-0120

Permit No. Class I 268

WASTEWATER DISCHARGE PERMIT
Part A — Application/Permit

Revised: 6/8/87

Please use Typewriter

SECTION 1. APPLICATION

Agency Use

Return the completed application by: ____________

Date Application Received ____________

A1. Applicant Business Name: Evergreen Oil, Inc.

A2. Address of Premise Discharging Wastewater:
- A. Street: 6880 Smith Avenue
- City: Newark, California 94560

A3. Business Address
- A. Street: 6880 Smith Avenue
- City: Newark, CA Zip: 94560
- B. Mailing: 6880 Smith Avenue
- City: Newark State: CA Zip: 94560

A4. Chief Executive Officer
- A. Name: John P. O'Connell B. Title: President
- C. Mailing Address: 6880 Smith Avenue D. City: Newark State: CA Zip: 94560

A5. Person to Be Contacted About This Application
- A. Name: Valerie McMillan B. Title: Wastewater specialist C. Phone: (415) 795-4400

A6. Person to Be Contacted in Case of an Emergency or on Routine Inspection
- A. Name: John O'Connell B. Title: President
- Day Phone: 415-795-4400 Night Phone: 415-594-1830

A7. CERTIFICATION: I certify that the information above and on the following Parts is true and correct to the best of my knowledge.

[signature] Signature — Date: 6/8/87

Valerie A. McMillan — Print Name

Wastewater Treatment ~~Specialist~~ — Title

OFFICE USE ONLY

UNION SANITARY DISTRICT
A Public Agency
37532 DUSTERBERRY WAY
FREMONT, CA 94536
(415) 790-0120

Firm Name
Evergreen Oil, Inc.

WASTEWATER DISCHARGE PERMIT
Part B – Business Description
Revised: 6/8/87

Purpose - The Business Description is primarily used to determine the substances which may enter into the wastewater discharge from the Business Activity. The production quantities are necessary for State and Federal reports.

Permit No. 268

B1. Business Activity – (Complete a separate Part B for each major business activity occuring on the premise.)

ACTIVITY Processing of used lubricating oil SIC 2992

(a) **Product:** Lubricating oil basestocks, gasoil and asphalt flux

TYPE OF PRODUCTS (Brand Name)	QUANTITIES					
	PAST CALENDAR YEAR			ESTIMATED THIS CALENDAR YEAR		
	Amount		Units	Amount		Units
	Avg.	Max.		Avg.	Max.	
Lubricating oil basestock				5.5 Mil.	6.0 Mil	gallons/yr
Gasoil				320,000	350,000	gallons/yr
Asphalt flux				415,000	450,000	gallons/yr

(b) **Description** – *Describe the wastewater generating operations. Indicate variations in production and operations during the year.* (Use additional sheets as necessary.)

Wastewater is generated in the following operations:
- cleaning of trucks
- condensation of drive steam used in the vacuum equipment
- washing of cooler tubes during hydrofinishing step
- wet caustic scrubbing of hot oil heater flue gas
- blowdown from the steam boiler
- blow down from cooling tower
- plant personnel usage
- chlorine dioxide generation used in process wastewater treatment
- water decanted from used oil

(c) **Substances Proposed to be Discharged** – Give common and technical names of any materials or product proposed to be discharged to the sewer. Briefly describe the physical and chemical properties of each substance and product.

NAME	DESCRIPTION
sodium sulfate	stable salt, formed during flue gas scrubbing
sodium chloride	stable salt, formed furing flue gas scrubbing
ammonium chloride	formed during washing of cooler tubes

B2. Discharge Period

(a) Discharge occurs daily: from 00 to 24

(b) Circle the days of the week that the discharge occurs: (S) (M) (T) (W) (T) (F) (S)

B3. Variation of Operation

Indicate whether the business activity is: Continuous throughout the year, or

Seasonal – Circle the months of the year during which discharge occurs: (J) (F) (M) (A) (M) (J) (J) (A) (S) (O) (N) (D)

Comments: Plant on-stream time is about 8,000 hours per year.

EPA Hazardous Waste Generator No:

B4. Other Liquid Wastes – List the type and volume of liquid waste removed from the premises by means other than community sewers and disposal site.

DESCRIPTION	VOLUME (gal/mo)	REMOVED BY (name & address)	DISPOSAL SITE
N/A			

SEM
F

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
215 Fremont Street
San Francisco, CA 94105

JAN 3 0 1990

REPLY TO ATTENTION OF: A-4-2

Mr. Curtis E. Morgan, President
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

Re: PCB Compliance Inspection

Dear Mr. Morgan:

On September 18, 1989, representatives of the United States Environmental Protection Agency (U.S. EPA), Region IX, conducted a TSCA PCB compliance inspection of Evergreen Oil, Inc. located in Newark, California.

The information collected during that inspection did not indicate any violation of the Federal PCB regulations, 40 CFR Part 761 et seq., at the facility located at 6880 Smith Avenue, Newark, California.

A copy of the inspection report is enclosed for your information. If you have any questions, please do not hesitate to contact me at (415) 744-1365.

Sincerely,

"Original Signed By"

Greg Czajkowski, Chief
Toxics Section
Air and Toxics Division

Enclosure

cc: Doug Kraus, Chief
California Department of Health Services

#765

TSCA

OPP #86-11
APPENDIX A

ENFORCEMENT CONFIDENTIAL
COMPLAINT REPORT FORM
TOXIC SUBSTANCES CONTROL DIVISION/SURVEILLANCE AND ENFORCEMENT
(Use Ball Point Pen)

Is this an emergency? Yes___ No X If yes, Call CES on 800-852-7550.

Log #: 4077-0009 Date Complaint Received: 7/6/87 Time: 4:45 Received by: T.P

Has Proposition 65 notification been completed?: Yes___ No X

INFORMANT:	ALLEGED RESPONSIBLE PARTY:
Name Glenn Vargas	Name/Firm Evergreen Oil
Address 43233 Arkwood Street	Address 6880 Smith Ave.
City Fremont Phone (415) 490-6244	City Newark County Code* 01
Employee of Union Sanitary District, but Confidential or anonymous: Yes X No___ wants to be contacted at home only	Phone (415) 791-1311

COMPLAINT DATA:

Date of Incident: 12/9/86 and 4/1/87 Duration/Frequency, daily, weekly etc.: May be frequent but not continuous

Allegation Code*: A Quantity: unknown Type of containers visible: liquid/gases

Chemicals/Substances: napthas, chlorinated compounds

Hazard(s): Public Exposure X Fire/Explosion___ Extremely Hazardous___ Water Contamination X

Other (specify)___

If vehicle/transport: Company Name N/A Placarding:___

License No.:___ Make:___ Model:___

Source of Complaint Code*: L If Code A, specify:___

Action Taken Code*:___ Region/Agency Referred To___

Other comments: Employee of sanitary district suffered exposure symptoms from what he believes was an illegal discharge of hazardous wastes to the sewer system (see attached letter) Completion Date 7/8/87

Note: Information to be transferred to complaint log is highlighted in bold print.

*See Codes On Reverse Side

Original-File Duplicate-log Triplicate-Investigations

?

NATURE OF ALLEGATIONS

A	Discharge to a sanitary sewer system
B	Discharge during transportation
C	Discharge to surface water, including storm drains
D	Discharge onto ground
E	Illegal storage
F	Unpermitted treatment
G	Illegal transportation
H	Buried hazardous waste
I	Leaking underground tanks (refer to local Environmental Health Department)
J	Abandoned hazardous waste
K	Air emissions (refer to Local Air Pollution Control District)
L	Other

California County Code Numbers*

Code #	County	TSCD Section	Code #	County	TSCD Section
1	Alameda	NCCS	30	Orange	SCS
2	Alpine	NCS	31	Placer	NCS
3	Amador	NCS	32	Plumas	NCS
4	Butte	NCS	33	Riverside	SCS
5	Calaveras	NCS	34	Sacramento	NCS
6	Colusa	NCS	35	San Benito	NCCS
7	Contra Costa	NCCS	36	San Bernardino	SCS
8	Del Norte	NCCS	37	San Diego	SCS
9	El Dorado	NCS	38	San Francisco	NCCS
10	Fresno	NCS-F	39	San Joaquin	NCS
11	Glenn	NCS	40	San Luis Obispo	NCS-F
12	Humboldt	NCCS	41	San Mateo	NCCS
13	Imperial	SCS	42	Santa Barbara	SCS
14	Inyo	NCS-F	43	Santa Clara	NCCS
15	Kern	NCS-F	44	Santa Cruz	NCCS
16	Kings	NCS-F	45	Shasta	NCS
17	Lake	NCS	46	Sierra	NCS
18	Lassen	NCS	47	Siskiyou	NCS
19	Los Angeles	SCS	48	Solano	NCS/NCCS
20	Madera	NCS-F	49	Sonoma	NCCS
21	Marin	NCCS	50	Stanislaus	NCS
22	Mariposa	NCS-F	51	Sutter	NCS
23	Mendocino	NCCS	52	Tehama	NCS
24	Merced	NCS-F	53	Trinity	NCS
25	Modoc	NCS	54	Tulare	NCS-F
26	Mono	NCS	55	Tuolumne	NCS
27	Monterey	NCCS	56	Ventura	SCS
28	Napa	NCCS	57	Yolo	NCS
29	Nevada	NCS	58	Yuba	NCS

NCS = Northern California Section
NCS-F = Northern California Section - Fresno
NCCS = North Coast California Section
SCS = Southern California Section

*County code designations by the California Department of Motor Vehicles.

SOURCE OF COMPLAINT

H - Hotline call
D - Direct contact (phone, walk-in)
L - Letter
R - Referred from another agency
Q - Referred from Headquarters

On April 1, 1987, USD received complaints from personnel who were exposed to vapors downstream from Evergreen. The USD employee who experienced exposure and filed the July 6, 1987 complaint with DHS observed vapors of yellow, green and brown being emitted from the sewer on this date. (On his December 9, 1986 exposure, he believed the wastewater may have contained chlorine, chlorinated hydrocarbons, solvents, phenol and mercaptans). It was determined that Evergreen was the originator of the vapors (see Attachment B, USD memo dated 4-1-87).

Subsequently, USD issued a Notice of Violation to Evergreen Oil on April 7, 1987 for discharging a substance which endangers USD personnel and causes air pollution by the release of gases. On April 15, 1987, Evergreen proposed a new treatment method for its wastewater; the high chlorine residual would be eliminated. On April 23, 1987, USD approved the proposed treatment method for wastewater and the reduction of chlorine residual. The chlorine dioxide discharge limit established by USD was 10 mg/liter.

On a non-RCRA permit inspection performed by me on June 24, 1987, I did not observe any vapors being emitted anywhere on site. During this inspection, I discussed the odor complaints from neighbors with the facility representative. He stated the source may have been that some oil may have been present in the wastewater treatment unit that was odorous and that each batch of wastewater was being tested. Further, he stated that double-carbon canisters were placed on the wastewater treatment and asphalt tanks where mercaptan odors may have been vented.

In follow-up telephone calls to Gary Zanardi and Judi Berzon of USD (415-790-0100), I was informed that a formal complaint had been filed against Evergreen Oil. In a discussion on February 28, 1989 with Gabriel Wirth, an attorney for USD (firm of Brobeck, Flager, and Harrison in San Francisco; 415-442-1575), she stated that the USD employee who had experienced exposure symptoms had filed a suit against Evergreen Oil for personal injuries in connection with the alleged exposure. The case has not yet been settled.

Based on the information obtained from the USD employee and that the incident occurred several months prior to when the complaint was filed with DHS, it is difficult to determine what may have been discharged from Evergreen Oil on the dates in question. Further, ongoing downstream monitoring and regulation of Evergreen indicates that USD had been aware of and had taken immediate action in terms of discharge violations and that meetings and correspondence regarding treatment and discharge issues had been ongoing between Evergreen and various local

agencies. Because the complaint filed with DHS is a personal injury issue and is currently in litigation, no further action by DHS is required at this time. However, I recommend that current treatment operations at Evergreen be carefully reviewed during the next DHS permit inspection.

Request from Union Sanitary District that copies of future inspection reports be forwarded to:

Dave Requa
Union Sanitary District
P.O. Box 5015
Fremont, CA 94536

evgrnoil.doc.sg5

State of California - Health and Welfare Agency

E File Section B

Department of Health Services

Date: 2-28-89

Time:

To: KEVIN KUEHLER / PATTI BAKNI

From: SUSAN GLADSTONE

RECORD OF COMMUNICATION

☐ Discussion ☐ Field Trip
☐ Meeting ☐ Phone Call
☐ Other

Subject: complaint 077-0008 : EVERGREEN OIL

SUMMARY: Regarding follow-up to complaint received by DHS on July 6, 1987.

An employee of Union Sanitary District suffered exposure symptoms during his course of job duties from what he believed to be a possible illegal discharge to the sanitary sewer. He felt that the release may have come from Evergreen Oil, a used oil recycler located at 6880 Smith Avenue, Newark, California. He requested assistance from the Department in assessing the mixture of chemicals in vapor form to which he may have been exposed on December 9, 1986 and on April 1, 1987 (see Attachment A).

Union Sanitary District (USD) had several meetings with Evergreen Oil in December, 1986 and January, 1987. These meetings involved specifically addressing odor complaints from neighbors of Evergreen Oil, as well as possible vapor exposures experienced by a number of USD personnel. Other agencies present at these meetings included City of Newark, Newark Fire Department, and the Bay Area Air Quality Management District (see Attachment B).

As a result of these meetings, Evergreen was instructed to divert wastewater to holding tanks and to research and re-evaluate their methods of treating wastewater prior to discharge. On January 16, 1987, USD approved re-start of wastewater discharge to the sanitary sewer after it had been treated with hydrogen peroxide and chlorine dioxide. Evergreen was also required to characterize all wastestreams being discharged to the sanitary sewer.

Firm: EVERGREEN OIL.

Address: 6880 SMITH AVENUE
NEWARK, CA

Tel. No.

☐ Conclusions ☐ Actions taken ☒ Actions to be taken

please see page 3 & CC

Informational copies: E. Kuehler
P. Bakni
S. Gladstone
File

DHS 8254 (6/85)

UNION SANITARY DISTRICT

April 23, 1987

Ms. Valerie A. McMillan
Wastewater Treatment Specialist
EVERGREEN OIL, INCORPORATED
6880 Smith Avenue
Newark, CA 94560

RE: Batch Treatment of Process Wastewater

Dear Ms. McMillan:

First of all, I would like to thank you and Evergreen Oil for responding as quickly as you did to the District's concerns regarding the high chlorine dioxide residual found at the sampling manhole. The District also appreciates the notifications Evergreen Oil, Incorporated has provided recently when problems with your discharge occurred. I hope that the improved communications between Evergreen Oil and the District are maintained as you and your firm continue your efforts to resolve the difficulties with the wastewater discharge.

I have reviewed Evergreen's proposal regarding the use of a mixer in the 512 A and B tanks and the adding a stoichiometric amount of chlorine dioxide to the equalized wastewater batch to treat its phenol and hydrogen sulfide content to the required levels. The District approves this change and agrees that it will provide an additional measure of control in the treatment of the wastewater and in the reduction of the chlorine dioxide residual.

In order for Evergreen to implement this revised treatment method, the District will require that written records are kept of each "batch calculation" and that these records are to be available for review by or submittal to the District upon request. Additionally, the change in the treatment method does not alter any of the previously established discharge requirements that Evergreen Oil, Incorporated must meet at all times.

Since this change in the treatment procedure is designed to establish better control of the treatment process and minimize the amount of chlorine dioxide residual, the following chlorine dioxide residual limit is established for Evergreen's discharge as part of Evergreen Oil, Incorporated discharge permit conditions.

P.O. Box 5015, Fremont, CA 94536 (415) 790-0100
37532 Dusterberry Way

Evergreen Oil Inc.

November 22, 1988

011-2917
Permits
Paris

14

Mr. Paris Greenley
Department of Health Services
Toxic Substances Control Division
North Coast California Section
5850 Shellmound, Suite 390
Emeryville, California 94608

RE: Evergreen Oil, Inc. Newark, California Facility
Part B Permit Request
DHS Permit #: CAX000244046
EPA ID # : CAD980887418

Dear Mr. Greenley:

Evergreen Oil, Inc. (EOI) is a California corporation with a new technology for the rerefining of used oils. This process produces a base lube oil that is equivalent to, and in most cases, better than virgin base oil and is suitable for compounding into high quality lubricants.

EOI would like to modify the hazardous waste list that can be accepted at the Newark facility to include:

1. Ethylene glycol (California regulated 134)
2. Oil/water separation liquids (California regulated 222)
3. Oil tank bottom wastes (California regulated 241)
4. Other unspecified oil-containing wastes (California regulated 223)
5. Hydrocarbon solvents (California regulated 213, 40CFR D001)
6. Halogenated solvents (California regulated 211, 40CFR F001, F002, F008)

EOI is requesting a Part B permit as defined in Title 22 Article 4, Sections 66370 - 66398, to receive, store and treat the following amounts of the California regulated hazardous wastes:

1. Waste Oil Streams (Includes 221, 222, 223, and 241):
   16,000,000 gal/year

2. Ethylene Glycol (134):
   900,000 gal/year

3. Hydrocarbon Solvents (213):
   400,000 gal/year

Evergreen Oil is also requesting a Part B permit as defined by 40CFR Section 270, for storage of the following amount of federally regulated hazardous waste:

1. Halogenated Solvents (F001, F002, F008)
   500,000 gal/year

For the past 24 months of operations, EOI has accepted waste oil from more than 10,000 used oil generators. The composition of the used oil accepted, has ranged from almost pure lubricating oil to used oils containing water, hydrocarbon solvents and ethylene glycol. These contaminants are normally found already combined with the used oil at the generator sites, arriving at EOI mixed with the used oil stream which feeds the recycling process. These used oils are run through the EOI plant and the contaminants are separated out during the refining process.

EOI has been informing generators of used oils that it is illegal to intentionally contaminate used oil and that good management practices dictate separate storage of separate waste streams (used oil, wastewater, solvents, etc.). This has caused "new" waste streams to be generated at the generator sites. Evergreen does not accept used oil from any persons that are not small quantity generators if it is known that the oil has been contaminated with hazardous waste other than in the ordinary course of use. Evergreen does not accept any used oil for reprocessing that contains more than 1000 parts per million total halogens.

The technology and equipment currently used at the EOI plant can treat and process these "new" waste streams as it has done in the past when the streams were mixed in with used oils. EOI intends to use an additional vacuum distillation unit to process the ethylene glycol.

EOI is committed to the responsible management and reduction of waste streams hazardous to human health and the environment. The approval of these modifications to the list of hazardous wastes which can be accepted at the Evergreen Oil Newark facility will provice a clear alternative for waste stream generators.

If you have any questions or additional information is required for the processing of this permit, please feel free to contact me at (415) 795-4400.

Sincerely,

Susan L. Keene

Susan L. Keene
Environmental Manager

enclosures

ATTACHMENT A

SUPPORTING DOCUMENTATION FOR VARIANCE REQUEST FOR THE ACCEPTANCE, TRANSFER AND TREATMENT OF ETHYLENE GLYCOL WASTE STREAMS

EVERGREEN OIL, INC.
6880 SMITH AVE.
NEWARK CA 94560

AUGUST 20,1990

INTRODUCTION

Evergreen Oil, Inc. is requesting an extension of our variance to our hazardous waste facilities permit allowing for the acceptance of ethylene glycol waste streams. Ethylene glycol wastes are commonly generated by the automotive and transportation industries. California state and local government agencies have adopted the position that ethylene glycol waste streams should be handled as hazardous wastes. Generators of these wastes who are unable to procure appropriate and convenient disposal methods for their glycol streams may often dispose of it illegally; directly to the sanitary sewer, storm drains, or by mixing it with waste oils. In order that we may provide appropriate, convenient and legal disposal of ethylene glycol waste streams to it's generators, Evergreen Oil, Inc. requests that the Department of Health Services extends our variance to allow the acceptance, storage and treatment of ethylene glycol waste streams at our Newark facility.

Evergreen Oil proposes to continue to accept shipments of ethylene glycol wastes (manifested as a hazardous waste), test them for health hazards, andl store these wastes in above ground tanks. Based upon the results of the tests run, Evergreen Oil proposes to treat the ethylene glycol wastes via distillation technology and/or ship them to the appropriate facilities for treatment, disposal, or recycling.

In the event that incoming ethylene glycol wastes can be shown to be an insignificant hazard to human health and safety, owing to low glycol concentrations via aqueous dilution or to its physical and chemical characteristics, Evergreen Oil requests that the Department of Health Services grant an extension to our variance from the Department's glycol treatment guidelines for ethylene glycol as a hazardous waste. (Testing procedures and parameters are outlines in Exhibit V-6 of the Part B Permit submitted to the Department of Health Services.)

Evergreen Oil, Inc. agrees to continue to handle, store, treat and dispose of all ethylene glycol waste streams in accordance with the provisions of Title 22, California Code of Regulations, Division 4, Chapter 30.

SECTION 1: FACILITY DESIGN

A) AGE / LIFE EXPECTANCY OF STORAGE TANKS

All of the tanks proposed for use in storing ethylene glycol wastes are less than five years old. The expected service life for each of these vessels is a minimum of fifteen to twenty years.

B) MATERIALS OF CONSTRUCTION

(1) All storage tanks are constructed of carbon steel following API and UL specifications for the storage of petroleum oils.

a) Lining materials

The tanks are not lined.

b) Corrosion / erosion resistance

The materials stored in these tanks, used lubricating oils and ethylene glycol wastes, are noncorrosive liquids. The average pH of these materials is between 6.0 and 8.0, indicating a lack of concentrated corrosive contaminants. Any water contained in these waste streams is held in suspension by the additive packages designed and blended into lubricating oils and ethylene glycol by the original manufacturer specifically to inhibit engine damage from free water. Therefore internal oxidation of the tank surfaces is negligible.

External surface protection is provided via the application of primer and exterior paint coatings.

Sizing of tank nozzles (inlet and outlet ports) are adequate to avoid erosion owing to high fluid velocity within the vessels. Maximum velocity of material is calculated to be 4 ft. / second within the piping system.

The exterior of the storage tanks are visually inspected on a daily basis. Interior surfaces are inspected periodically. The remaining shell plates are checked ultrasonically for indications of material loss.

(2) TANK FOUNDATIONS, DESIGN AND MATERIALS

Storage tanks foundations are designed and installed in accordance with Appendix B of API specification 650.

All storage tank foundations are octagonal shaped concrete slabs with a surface elevation of 19' 9", approximately one foot above the general tank farm floor. The top surface of each foundation is covered with a 40 mil thick layer of polyethylene sheeting to prevent corrosion on the tanks' bottom surface.

(3) TANK DIAGRAMS

The designs for piping, instrumentation, control systems and flow characteristics are consistent with standards published by the API for storage within refinery installations. Exhibit VI-2, the Process Flow Diagrams, and Exhibit VI-3, the Piping and Instrument Diagrams, submitted with the original Operations Plan for this facility contain specifics of tank farm layout and flow design.

(4) DESCRIPTION OF STORAGE, FEED AND PRESSURE CONTROLS

a) Feed systems

Material is transferred to, from and between storage tanks via a fixed system of carbon steel piping and valves, utilizing gear and centrifugal pumps.

Transfer of material between storage tanks and trucks is done via certified petroleum service hoses.

b) Shutdown systems (waste feed cut-off)

Flow to and from storage tanks is controlled by hand operated gate valves and push button motor starters on the pumps. High level alarms on the preselection tanks activate acoustic and visual alarms which notify the operators to switch off pumps and close valves when a potential overfill / overflow situation is imminent.

c) Pressure controls

All storage tanks within this facility vent to the atmosphere. Design of the vents, as installed, is in compliance with API and UL specifications and meets the requirements of the Bay Area Air Quality Management District Rules, Regulations and Permits.

d) Tanks are properly labelled

To allow maximal flexibility of the facility operations, the piping system between storage tanks allows them to be used to hold products other than those for which they were originally designated. The tank labelling system is therefore interchangeable in order to provide correct contents identification at any given time. All labels are in compliance with NFPA standards.

C) CONTAINMENT SYSTEM

(1) Basic design parameters

Storage tanks at this facility are grouped together into a tank farm which is surrounded by a concrete wall approximately thirty-two inches tall (2' 8"). Containment within this walled area is equal to one and one half tomes the capacity of the largest tank in the farm (150% max. volume) .

Grading within the tank farm causes runoff to collect in precast concrete catch basins. The catch basins are connected via underground sewer lines to a common sewer header or discharge from the tank farm. Sewer outlets are equipped with gate valves, normally kept closed, to regulate flow. Any spills, as well as rainfall runoff, are left within the confines of the tank farm.

A separate underground oil drainage system (cast iron pipe) is installed in the tank farm in addition to the storm sewer systems described above. This system collects all materials from all tank drains, overflow pipes, as well as spills from sample connections. These materials flow into above ground raised drain hubs directly into underground secondary containment.

A concrete pad (4 in. thick) is installed throughout the tank farm which, in conjunction with the perimeter wall provides secondary containment for all storage tanks. Containment capacity of the walled-in tank farm is in accordance with Ordinance No. 195 of the City of Newark, CA, which exceeds the requirements of DOHS, and is sufficiently large to contain 150 percent of the content of the largest tank (200,000 gallons) plus 24 hour, 25 year rain fall (4.01 inches).

(2) Drainage and prevention of contact between tanks and standing liquids.

To provide additional containment under the steel bottom plates of the tanks used to store hazardous waste, a 40 mil high density polyethylene membrane is placed between the concrete foundation and the tank bottom. The membrane is properly sealed to the bolts anchoring the tank to its foundation and to the foundation itself. Any leakage due to failure of the tank bottoms will run-off between the bottom and the membrane to the edge of the raised tank foundation where it can be visually detected.

Owing to the non-corrosive nature of used lubricating oil and ethylene glycol wastes, contact between tanks and standing liquids will not cause corrosion.

(3) Run-on provisions and management:

The wall around the tank farm protects the area against any run-on from other parts of the facility is provided with an adequate storm water drain system to channel any run-on to the storm sewer.

(4) Removal of accumulated liquids:

Containment system design is such that only major calamity could fill the walled area completely. High level alarms make the occurence of any such calamity highly unlikely.

Daily monitoring of the containment area for spill, leaks, etc. is carried out by facility operating personnel on a scheduled basis. Records of daily, weekly and monthly inspections are on file.

Depending on the size of a spill, any spilled liquid will be immediately removed by pumping it out in trucks or hosing it down into the storm run-off sewer system. Storm sewer systems effluent is directed to wastewater treatment system.

D) ETHYLENE GLYCOL STORAGE TANK LOCATION

All tanks proposed to store ethylene glycol waste streams will be within the tank farm area at the EOI Newark facility designated on Map A. These storage tanks will be contained within the same area as the feedstock and product storage tanks.

SECTION 2: WASTE CHARACTERISTICS

A) WASTE TYPE AND HAZARDOUS PROPERTIES

(1) Waste Type:

Ethylene glycol/Waste code 134: Aqueous solution with total organic residues less than 10 percent.

Ethylene glycol is an odorless, colorless, thick liquid that mixes completely with water. It is also soluble in many organic liquids. Ethylene glycol has a high boiling point (240 degrees F) and a low freezing point. When mixed with water, it reduces the freezing point of water markedly; a 50:50 mixture of water and ethylene glycol has a freezing point of about -35 degrees C (-31 degrees F). Because of its high boiling point (197.6 degrees C/388 degrees F) it has the capacity to hold relatively large amounts of heat before boiling.

Ethylene glycol waste is a non-corrosive material with an average pH of 6.0 to 7.0. Ethylene glycol wastes have a low vapor pressure and are normally not volatile.

(2) Hazardous Properties:

Ethylene glycol is toxic by ingestion and by inhalation.

Ethylene glycol is the primary component of antifreeze and samples of waste antifreeze and samples of waste antifreeze from automobile radiators have been analyzed for corrosive capacity, metals, and acute aquatic 96-hour LC/50. Except with respect to human toxicity the above characteristics do not indicate that waste antifreeze or ethylene glycol is a hazardous waste. However, an oral dose as low as 100 milliliters of pure ethylene glycol has been found to be lethal to humans.

B) VOLUME:

Design capacity for storage of ethylene glycol wastes is potentially over 1,000,000 gallons since all storage tanks at EOI are safely designed to store this waste stream. However, EOI has designated three storage tanks with a total storage capacity of 85,000 gallons for possible ethylene glycol waste storage. Average capacity is estimated to be 25,000 gallons.

C) COMPATIBILITY OF WASTE WITH TANKS:

Ethylene glycol waste is a non-corrosive material and is therefor compatible with the selected tank materials (carbon steel).

No special vapor control systems are required due to the low vapor pressure. Tanks will vent to the atmosphere.

SECTION 3: PROCESS

A) SOURCE OF WASTE;

Ethylene glycol waste is primarily generated by the automotive/transportation industry as a by-product of their operations. (Waste antifreeze is the most common source of waste ethylene glycol.) Other sources might include industrial production processes or chemical suppliers.

This waste stream will be collected from off-site generators; such as gas stations, auto repair shops, and auto dealers; and manifested to EOI by registered hazardous waste haulers.

The low freezing point and high heat capacity properties has contributed to its use as: antifreeze for liquid-cooled motor vehicles, a deicing fluid, a freeze-thaw stabilizer in latex coatings, and a heat-transfer fluid.

B) HANDLING METHODS AND ASSOCIATED SAFETY FEATURES;

(1) Equipment:

Ethylene glycol waste is delivered to the facility by tanker truck or smaller "bobtail" collection route trucks.

Unloading is done by transferring the ethylene glycol waste through a system of hoses, fixed pipeline and gear and/or centrifugal pumps into storage tanks.

(2) Handling Methods:

Handling methods will be similar/identical to the methods described for waste oils in the previously submitted Operations Plan.

a) All hazardous waste will be pumped into designated storage tanks.

b) All ethylene glycol streams stored shall be presumed to be hazardous unless it can be shown otherwise.

c) Stored ethylene glycol wastes shall be periodically analyzed to determine whether it exhibits hazardous waste characteristics.

d) Ethylene glycol waste streams may be sent through a process which separates the ethylene glycol from the water. The waste stream will be pumped to a distillation column which will separate the ethylene glycol from water and other contaminants. The concentrated ethylene glycol will be pumped into storage tanks and the water stream will be sent to the water treatment system for further treatment. See "Process Flow Diagram: Distillation of Ethylene Glycol Streams" dated August 10, 1988.

e) Ethylene glycol wastes shall be pumped into tank trucks and shipped to appropriate TSDF's for treatment/disposal/recycling. Concentrated ethylene glycol streams will be sold to brokers and end users.

f) All hazardous waste streams shall be properly manifested.

(3) Safety Features:

The hazardous properties of the waste are relatively minor and the material has a high flash point.

All equipment is either located at grade or in a completely open, framed steel structure. No equipment is placed inside a building.

Continuous checks are carried out to detect and remedy any leaking joints in the system to avoid any spills.

The total facility is provided with adequate lighting to make continuous 24 hour a day operations and vigilance possible. All walkways, stairways, platforms, working areas etc. are provided with sufficient artificial lights to observe all instrumentation, controls, valves, equipment, etc. Area lighting is provided along the facility perimeter and for the facility internal roads with a specific emphasis on facility entrance and exit and the unloading/loading areas.

Unloading and loading of tanker trucks and bobtails takes place in an open air area covered only by canopies and is under continuous supervision of facility personnel.

Necessary grounding systems are installed to ground all equipment.

An elaborate spill containment system including secondary containment, impounding areas and controls is installed.

The tanker truck and bobtail unloading and loading areas as well as the truck wash area are separately paved with concrete, curbed and graded to collect any spills and wash downs in drain channels. All discharge from these drain channels is collected and sent through cast iron pipes to a 900 gallon wash down sump V-510 made of reinforced fiberglass and located in a concrete pit (secondary containment) from where it can be pumped out.

The facility storm water drain system collects all precipitation via catch basins, and an asbestos cement underground piping system. The storm water collected from the concrete paved process areas is sent to an oil/water separator X-454 for separation of hydrocarbon pollution prior to discharge in the facility storm sewer discharge main.

For a complete descriptive overview of all underground piping systems, including sanitary and storm sewers, see Exhibit VII-3, enclosed in the Operations Plan.

(4) Equipment for Safely Unloading Hazardous Wastes:

Hazardous wastes will be delivered to the facility in tanker truck or bobtail. Unloading is by means of hoses coupled between the tanker trucks or bobtail outlet nozzle and the fixed unloading pumps P-501 A/B/C.

The hazardous wastes will be pumped via a system of fixed pipelines into storage tanks.

The storage tanks are equipped with level indicators, high level alarms and overflow pipes. The high level alarm will activate a visual and acoustic signal at the unloading pump station to warn the operator to stop the pumps P-501 A/B/C.

C) ULTIMATE DISPOSITION;

(1) Ethylene Glycol Streams:

Streams of ethylene glycol wastes may be treated by distillation technology which will separate the water from the ethylene glycol. The resulting ethylene glycol product will be sold to brokers and end users. The water will be treated as necessary and discharged through the sanitary sewer.

(2) Hazardous Ethylene Glycol Streams:

Hazardous waste streams of ethylene glycol will be manifested and shipped to a disposal/recycling facility authorized to accept hazardous waste. EOI has already negotiated agreements with authorized TSDF's such as Romic Chemicals in East Palo Alto, CA.

(3) Non-hazardous Ethylene Glycol Streams:

If streams of ethylene glycol waste can be shown to be non-toxic, then the waste stream will be shipped to a treatment/disposal/recycling facility authorized to accept such a waste streams. EOI has already negotiated agreements with such companies.

SECTION 4: OPERATIONS PROCEDURES

A) SECURITY MEASURES USED AT THE FACILITY:

(1) There is no television monitoring or guard surveillance system in place for 24 hours other than the systems described below.

(2) Access Control Measures:

Access is available only through gates in a manproff fence which surrounds the entire facility.

Offices will be locked and secured during off hours.

A lock box is placed near the office entrance to provide local police and fire-fighters access to the facility entrance in case the plant is unattended.

Periodically, the facility will be secured for maintenance. During these times, it may be unattended during evening, night and week-end hours. All gates will then be locked and a security service will be retained to conduct frequent checks on the facility.

(3) Barriers to Prevent Unauthorized Entry:

The facility is totally surrounded by a manproof fence. Fence is made of 6'-0" high chain link material with rows of barbed wire on top with a total height of 7'-6". For location of fence, see Exhibit II-2 in the Operation Plan.

(4) Warning Signs:

a) Bilingual warning signs are posted at (1) the entrance to the facility and (2) along perimeter fence to alarm trespassers.

b) Warning sign has 1 inch high block lettering, noting the facility as:

"Resource Recovery Facility
Unauthorized Persons Keep Out"

B) SAFETY AND EMERGENCY EQUIPMENT:

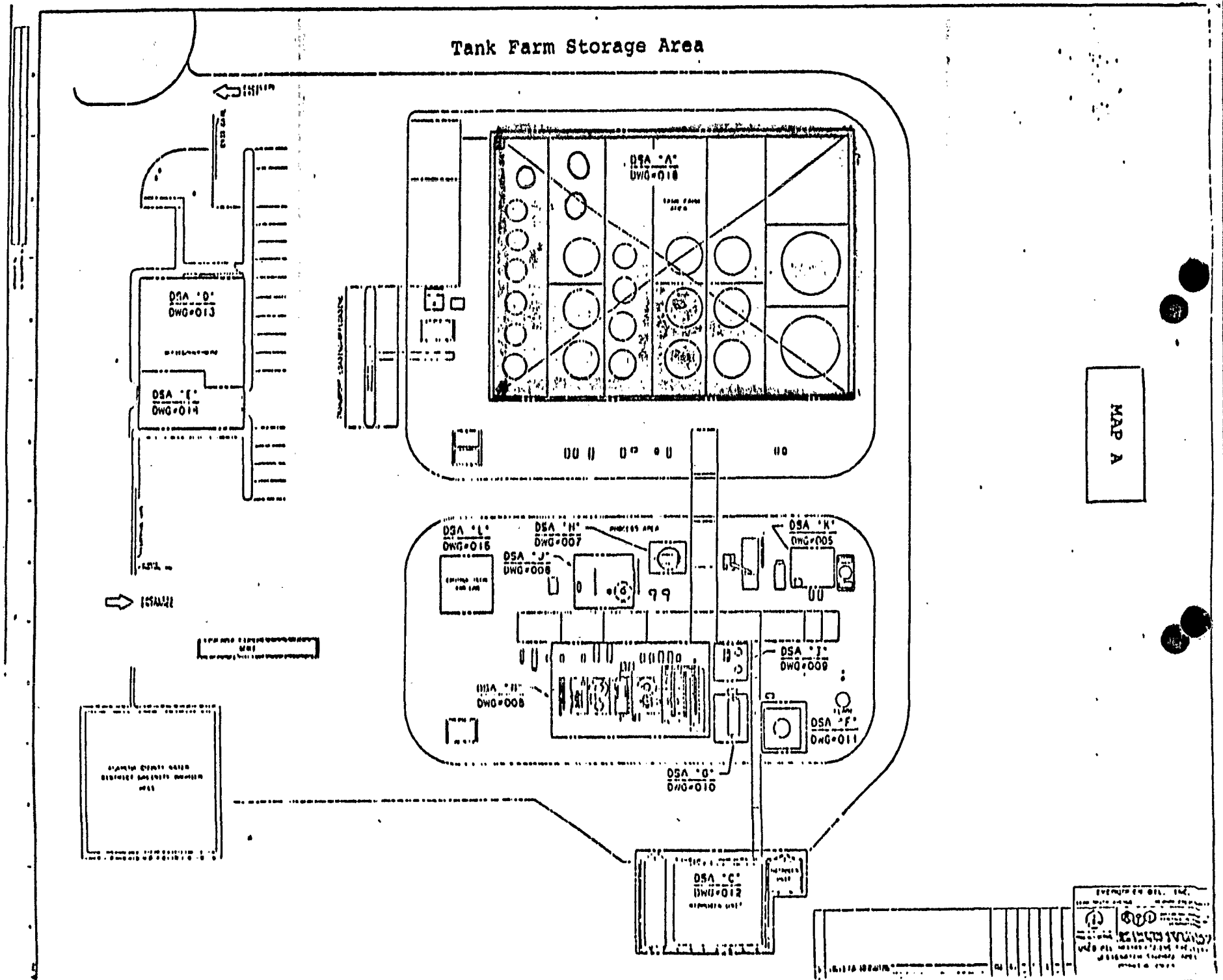
(1) Safety Equipment:

The hazardous properties of the waste indicate relatively minor danger due to handling.

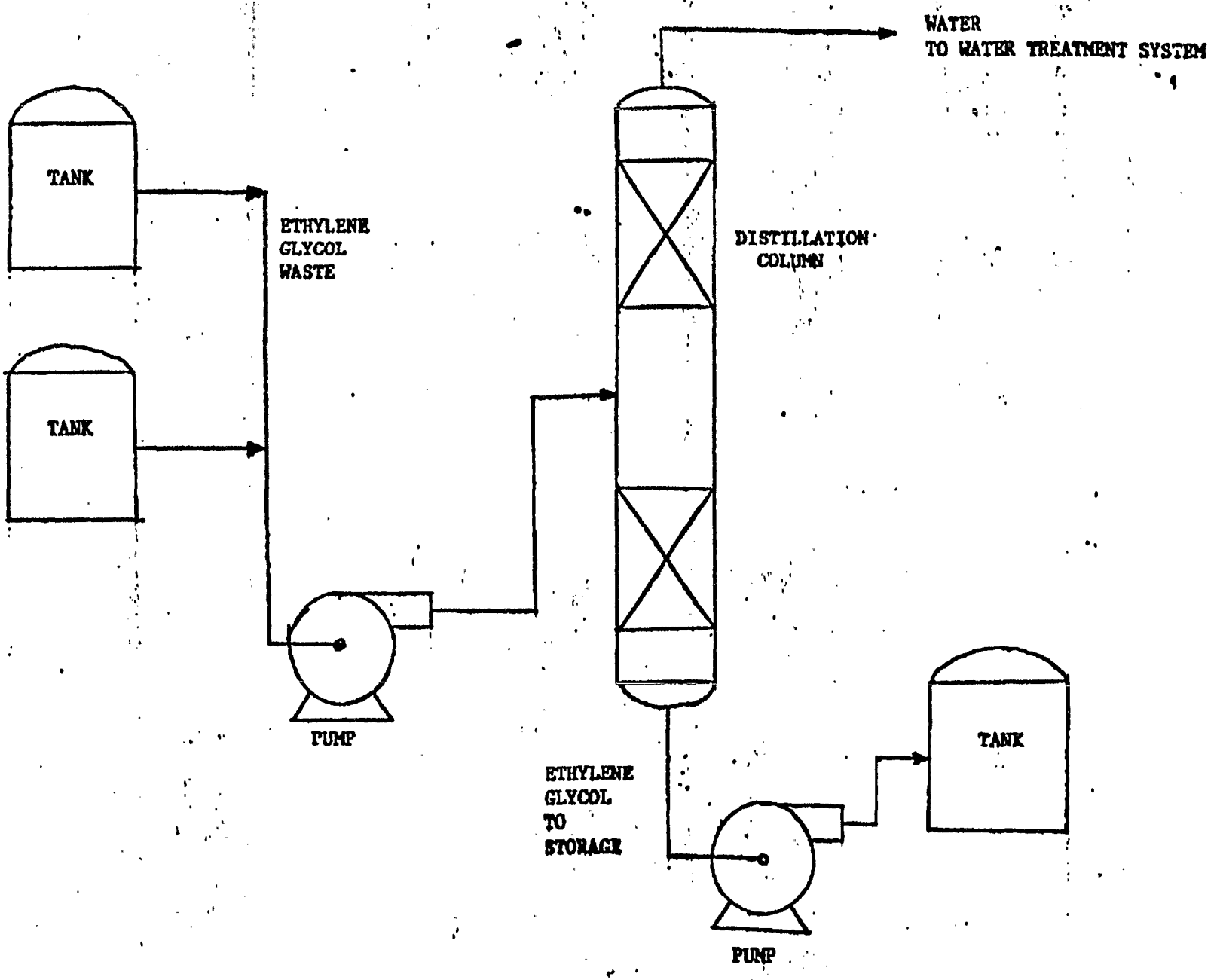
Safety equipment required is therefore limited to:

a) Goggles for all plant personnel.
b) Coveralls for all plant personnel.
c) Gloves for all plant personnel.
d) Oxygen analyzers for safe storage tank entrance.
e) Combustible gas analyzer to check leakage of vapors.

Tank Farm Storage Area



PROCESS FLOW DIAGRAM: DISTILLATION OF ETHYLENE GLYCOL STREAMS



AUGUST 10, 1988

EXHIBIT A

ETHYLENE GLYCOL WASTE INFORMATION SHEET

FEBRUARY 1988

Ethylene glycol is an odorless, colorless liquid that mixes completely with water. It is also soluble in many organic liquids. Ethylene glycol has a high boiling point and low freezing point. When mixed with water, it reduces the freezing point of water markedly: a 50:50 mixture of water and ethylene glycol has a freezing point of about -35°C (-31°F). Because of its high boiling point (197.6°C/388°F) it has the capacity to hold relatively large amounts of heat before boiling. These properties of lowering the freezing point and relatively high heat capacity have made ethylene glycol economically valuable. It has the following uses: antifreeze for liquid-cooled motor vehicles, deicing fluid, freeze-thaw stabilizer in latex coatings and heat-transfer fluid. Some of these uses (in particular, antifreeze) result in the production of waste (radiators are drained of antifreeze for maintenance and/or repair and are refilled with new antifreeze).

Ethylene glycol has been evaluated by the Department of Health Services using the California hazardous waste criteria listed in Article 11, Title 22 of the California Code of Regulations (formerly entitled California Administrative Code). Ethylene glycol is the primary component of antifreeze and samples of waste antifreeze from automobile radiators have been analyzed for corrosivity, metals (copper, zinc, and lead), and acute aquatic 96-hour LC_{50}. The scientific literature on ethylene glycol has been reviewed with respect to acute oral LD_{50} and acute dermal LD_{50} toxicity tests as well as human toxicity data. Except with respect to human toxicity, the above characteristics do not indicate that waste antifreeze or ethylene glycol is a hazardous waste. Because an oral dose as low as 100 milliliters of ethylene glycol has been found to be lethal to humans, ethylene glycol waste is a hazardous waste pursuant to Section 66696(a)(6), Article 11, Title 22, CCR. This subsection states that a waste is hazardous if it "...(h)as been shown through experience or testing to pose a hazard to human health or environment because of its carcinogenicity, acute toxicity, chronic toxicity..."

As a hazardous waste, ethylene glycol may be sent to a disposal facility authorized to accept hazardous waste. There is also a facility in California that recycles used antifreeze. For more recycling information, the following company can be contacted:

Antifreeze Environmental Service Corporation
2081 Bay Road
East Palo Alto, CA 94303
(415) 325-2666

In some situations, such as small quantities or low concentrations of waste ethylene glycol, the Department of Health Services may grant variances from the hazardous waste regulations and allow alternative waste management, such as disposal into the sewer system.

As a hazardous waste, ethylene glycol is different from many other wastes because it is readily biodegradable. Ethylene glycol and alternative waste management techniques are currently being evaluated by the Department of Health Services and its regulation as a hazardous waste may be different in the future.

CHEMICAL AND PHYSICAL ANALYSIS OF ETHYLENE GLYCOL

Viscosity cst @ 15 degrees C	26		
20	21		
25	17.3		
Water Wt. %	30	-	70
Flash Point, degrees F	240		
Metals (ppm)			
	50% Water		79% Water
Arsenic	0.04		0.13
Cadmium	0.04		1.28
Chromium	0.06		0.40
Copper	4.10		3.32
Lead	11.90		15.30
Mercury	<0.01		<0.02
Nickel	1.18		0.22
Silver	0.32		0.06
Zinc	14.20		28.0
pH	7.0	-	8.0
Dissolved Oxygen (mg/l)	9.2	-	10.0
96 hr. TLm	>0.75		

Analysis

FPB B

STATE OF CALIFORNIA—HEALTH AND WELFARE AGENCY
GEORGE DEUKMEJIAN, GOVERNOR

DEPARTMENT OF HEALTH SERVICES
TOXIC SUBSTANCES CONTROL PROGRAM
2151 BERKELEY WAY, ANNEX 9
BERKELEY, CA 94704
(415) 540-3734

FILE COPY

September 19, 1990

Mr. Curtis Morgan
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

Dear Mr. Morgan:

VARIANCE RENEWAL DETERMINATION - EVERGREEN OIL, INC.
6880 SMITH AVENUE, NEWARK, CALIFORNIA 94560
EPA ID NO. CAD 980 887 418

On August 21, 1990, you applied to the Department of Health Services (Department) to extend Evergreen Oil, Inc.'s (EOI) variance from the Hazardous Waste Facility Permit Requirements of Article 4, Chapter 30, Division 4, Title 22, California Code of Regulations (CCR), for the storage and treatment of ethylene glycol.

The following information was used as the basis for your variance renewal determination:

1. Our records show that the original variance was issued on August 24, 1988.

2. EOI stores and treats approximately 50,000 gallons of ethylene glycol waste per month or 600,000 gallons per year.

3. Treated waste water is discharged to the sewer in compliance with the Union Sanitary District.

Based upon this information and pursuant to Section 25143, Health and Safety Code and Section 66310, Title 22, CCR, we find that the storage and treatment of ethylene glycol wastes are insignificant as a potential hazard to human health and safety and the environment. We hereby rescind your previous variance and are granting you this new variance from the Hazardous Waste Facility Permit Requirements of Article 4, Chapter 30, Division 4, Title 22, CCR for the storage and treatment of ethylene glycol wastes under the following conditions:

1. EOI shall maintain the following documents at the facility at all times and make these documents available upon demand to any representative of the Department, the EPA, or local governmental agency. A copy of these documents shall also be delivered in person or by certified mail with returned receipts to the Department when requested by the Department.

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The request from the Department shall specify the documents which are required, where and how to submit the required documents and the date by which the documents shall be submitted. The documents shall include:

a. A copy of this variance;

b. A waste analysis plan for the storage and treatment operations as specified in Section 67102(b), Title 22, CCR;

c. Training documents as specified in Section 67105(d), Title 22, CCR;

d. A written inspection schedule as specified in Section 67104(b), Title 22, CCR;

e. A copy of the written approval from the local sanitation agency and any other permits required for the operations;

f. A copy of the closure plan required in condition #5.

2. EOI shall maintain compliance with Sections 67033, 67034, 67036, 67120(a), 67245, 67251, and 67524, Title 22, CCR and with the following regulations in Title 22, CCR, including those referring to permit applications, as they apply to permitted facilities:

a. Article 18, General Facility Standards for Interim Status and Permitted Facilities;

b. Article 19, Preparedness and Prevention for Interim Status and Permitted Facilities;

c. Article 20, Contingency Plan and Emergency Procedures for Interim Status and Permitted Facilities;

d. Article 21, Manifest System, Record-keeping and Reporting for Interim and Permitting Facilities (except for Sections 67163(b)(2) and 67163(b)(6), Title 22, CCR;

e. Article 24, Use and Management of Containers;

f. Article 25, Tanks at Interim Status and Permitted Facilities;

g. Article 31, Thermal Treatment; and

h. Article 32, Chemical, Physical and Biological Treatment.

3. EOI shall maintain compliance with the following requirements regarding closure:

a. Section 67211, Title 22, CCR, as it applies to facilities;

b. Section 67212(c), Title 22, CCR as it applies to the closure plan;

c. EOI shall have a written closure plan. The closure plan shall include:

(1) A description of how and when the storage and treatment system will be partially closed, if applicable, and finally closed. The description shall identify the maximum extent of the operation during the life of the storage and treatment system, and how the applicable requirements of Section 67214, Title 22, CCR as it applies to facilities, and Sections 67248, 67260, and 67254, Title 22, CCR will be met;

(2) An estimate of the maximum inventory of waste in storage and in treatment at any time during the operation of the facility;

(3) A description of the steps needed to decontaminate the storage and treatment equipment during closure; and

(4) An estimate of the expected year of closure and a schedule for final closure. The schedule for final closure shall include, at a minimum, the total time required to close the storage and treatment system.

d. Within ninety (90) calendar days after storing and treating the final volume of hazardous waste, EOI shall treat, remove from the site, or dispose of on-site, all hazardous wastes in accordance with the closure plan and the applicable requirements of Chapter 30, Division 4, Title 22, CCR unless EOI demonstrates to the Department that the activities required to complete

the closure will require longer than ninety (90) calendar days, or the treatment system has the capacity to treat additional wastes, or there is a reasonable likelihood that a company other than EOI will recommence operation of the treatment system, and closure of the treatment system would be incompatible with the operation of the facility, and EOI has taken and will continue to take all steps necessary to prevent threats to human health and the environment;

e. EOI shall complete closure activities in accordance with the closure plan within one hundred and eighty (180) calendar days after treating the final volume of hazardous waste unless EOI demonstrates to the Department that the activities required to complete the closure will require longer than 180 calendar days to complete, or the treatment system has the capacity to treat additional wastes, or there is a reasonable likelihood that a person other than EOI will recommence operation of the treatment system, and closure of the treatment system would be incompatible with the operation of the facility, and EOI has taken and will continue to take all steps necessary to prevent threats to human health and the environment;

f. EOI shall notify the Department and any other agencies having jurisdiction over the closure project fifteen (15) calendar days prior to completion of closure;

g. EOI shall remain in compliance with all applicable requirements which are specified in this condition (5.a. through 5.h.) until EOI submits to the Department certifications by EOI and by an independent, professional engineer registered in California, that closure plan and that the closure plan meets or exceeds the applicable requirements of Chapter 30, Division 4, Title 22, CCR, and the Department approves those certifications, and;

h. EOI shall prepare and submit to the Department a copy of the most recent closure cost estimate, in current dollars, of the cost of closing the facility. The cost estimate shall be based on the cost to EOI of having to hire a third party to conduct the activities specified in the closure plan. EOI shall adjust the closure cost estimate by March 1 of each year. The adjustment shall be made as specified in Sections 67002(b)(1) and (b)(2), Title 22, CCR, using an inflation factor

derived from the annual Implicit Price Deflator for Gross National Product as published by the U.S. Department of Commerce in its Survey of Current Business. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

4. EOI shall submit to the Department, in person or certified mail with return receipt requested, a report containing the documents specified below. The report must be submitted within ninety (90) calendar days of the effective date of this variance and annually by March 1 of each year. Any amendments to the report shall be submitted whenever there is any significant change to the information submitted in the most recent documents. The report shall be signed and dated in accordance with Section 66373, Title 22, CCR and shall contain the following documents:

   (a) A disclosure statement, as defined in Section 25112.5, Health and Safety Code.

   (b) Information required in Sections 66390(a)(3), 66390(a)(4), 66390(b)(1), 66390(b)(3), 66390(b)(4), and 66390(b)(5), Title 22, CCR as they apply to permit applications.

   (c) A certification signed by EOI specifying the local authorities have been notified of the intended operation. At a minimum, EOI shall notify the local health official responsible for regulating the management of hazardous waste, the agency operating the Publicly Owned Treatment Works (POTW), if the treated waste is discharged to a POTW, and any other agency that requires notification for operation of the treatment system.

   (d) Storage and treatment site information including site name, address or legal description of the site location, site EPA ID number, site contact person(s) and telephone number(s), plot plan detailing where the hazardous waste storage and treatment shall occur, a description of the specific waste type(s) to be stored and treated, a full description of the storage and treatment system including all pretreatment procedures, a description of how the treatment system operates (i.e., continuous, batch, intermittent, etc.) and the hours of operation of the treatment system.

(e) Documentation of an agreement between the property owner and facility operator, if different, allowing operation of the storage and treatment system.

(f) The financial assurance certifications required by Sections 67034 and 67036, Title 22, CCR.

(g) The certification specified in Section 66494, Title 22, CCR.

(h) A certification signed by EOI in accordance with Section 66373, Title 22, CCR that EOI will operate the treatment system in accordance with all requirements of this variance.

5. This variance shall only be valid while the Part B Application is undergoing review.

6. This variance shall expire on October 1, 1995 or when a Hazardous Waste Facility Permit is issued to EOI, whichever occurs first.

7. Wastes to be stored and treated shall be limited to ethylene glycol.

The Department reserves the right to modify or revoke this variance for any reason at any time. The granting of this variance does not relieve EOI from any requirements as a generator of hazardous waste. Thus, this variance applies only to the Hazardous Waste Permit Requirements of Article 4, Chapter 30, Division 4, Title 22, CCR.

If you have any questions regarding this letter, please contact Daisy Lee at (415) 540-3933.

Sincerely,

Howard K. Hatayama
Regional Administrator
Region 2
Toxic Substances Control Program

cc: See next page

cc: Ms. Deborah A. Sivas
Heller, Ehrman, White & McAuliffe
333 Bush Street
San Francisco, CA 94104-2878

Mr. Steven R. Ritchie
Executive Officer
S.F. Bay, RWQCB
1800 Harrison Street, Room 700
Oakland, CA 94612

Mr. Rafat Shahid
Alameda County Environmental Health
80 Swan Way, Room 200
Oakland, CA 94621

bcc: Ms. Charlene Williams
Branch Chief
Surveillance and Enforcement Branch
Toxic Substances Control Program
Region 2
700 Heinz Ave., Building F
Berkeley, CA 94710

EXHIBIT VIII-3

George Deukmejian
[redacted], Governor

STATE OF CALIFORNIA—RESOURCES AGENCY

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
1 JACKSON STREET, ROOM 6040
OAKLAND 94607

Phone: Area Code 415
464-1255

July 27, 1983
2190.00(SIM)

Mr. Kip Prahl, P.E.
President
California Oil Recyclers, Inc.
977A Bransten Road
San Carlos, CA 94070

Dear Mr. Prahl:

Subject: Proposed Oil Reprocessing Plant,
Smith Avenue, Newark

Based upon our earlier conversations and review of your proposed spill prevention/protection plan outlined in your letter of July 5, 1983, it appears that your proposed plant will not be a discharger of wastes that would affect the waters of the state. Therefore, no further actions by you (i.e. Report of Waste Discharge) or the Board (i.e. NPDES Permit) are considered necessary at this time. Should the conditions change or your plan is not properly implemented and/or maintained, Board action and/or regulation may be necessary.

If you have any questions, please call me at (415) 464-0618.

Sincerely,

Stephen Morse

Stephen Morse
Senior Engineer

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RECEIVED AUG 0 1 1983

EXHIBIT VIII-2

CALIFORNIA OIL RECYCLERS INC.

July 5, 1983

Executive Officer
REGIONAL WATER QUALITY CONTROL BOARD
1111 Jackson Street
Oakland, CA

ATTENTION: Mr. Steve Morse

Dear Mr. Morse,

CALIFORNIA OIL RECYCLERS plans to construct a used oil reprocessing plant capable of recycling spent lubricating oils for reuse as lubricants. The plant, scheduled for construction in Newark, will have a design capacity of 7.2 million gallons per year (15 gallons/minute).

To ensure a high grade product, the facility will use the most sophisticated technology available. Emissions will be limited to exhaust from a heater/boiler unit and a small amount of process water and truck wash runoff discharged via an oil/water separater to the sanitary sewer.

Storm runoff will be discharged through a system of storm drains. The following precautions will be taken to prevent any oil from entering this runoff stream.

1. Truck load/offload areas will be graded and bermed to contain the maximum spill which could occur as a result of a truck tank rupture.

2. The tank farm will be surrounded by a berm which will amply contain the volume of the largest tank plus required depth of rainwater.

3. Storm runoff from truck load/offload areas and the tank farm will be passed through an oil water separater prior to discharge. Valves controlling drainage from these areas will be secured shut and opened only to allow drainage of storm-water into the separater.

977A BRANSTEN ROAD, SAN CARLOS, CA 94070
(415) 591-2603 · (800) 972-5284

July 5, 1983

Executive Officer
REGIONAL WATER QUALITY CONTROL BOARD

4. The entire site will be graded to contain any spill which might occur from equipment failure. Stormdrain catch basins, incidently, will also be kept secured to ensure control of any such spill.

5. An SPCC plan will be prepared and will define proper emergency responses. Of importance; since the plant will operate with drains and catchbasins normally secured, and will have proper grading and berming as well as sound oil/water separater equipment, it will remain in a condition of high material readiness for any emergency.

An important consideration in our site determination was ensuring that the risk of groundwater contamination is minimized. According to data obtained from the Alameda County Water District (ACWD), groundwater at the site is quite brackish with chloride levels in the vicinity of 10,000 ppm (Bay water is 16-20,000 ppm). In that regard, the district has installed a barrier well to prevent further salt water intrusion. Water pumped from this well is discharged back into the bay. Further, they advise, the presence of the well means that the water will remain brackish indefinitely.

Soils conditions at the site are ideal for this type of facility. The water bearing strata (brackish Newark aquifer) does not begin until a depth of over 50 feet. Until that depth, soil consists of percolation resistant clay.

Because of the factors noted above, I believe that our plant will not be the source of water contamination. On the contrary; by recycling used oil we will reduce such contamination by reducing the volume of this substance which is dumped down storm drains or otherwise disposed of. Consequently, the imposition of additional water discharge control requirements should be unnecessary.

My objective in writing is to inform the board of our intended project and the environmental benefits which will accrue from it. As well, I ask for any comments you may have on our control procedures.

For CALIFORNIA OIL RECYCLERS,

Kip Prahl, P.E.
President

list violations for PLANT # (@ for all) >> 1190

Starting date is ? new date (Stop/Exit).>> 1/1/86

Ending date is ? new date .....>> 1/31/92

**** ISSUANCE BETWEEN Jan 1, 1986 & Jan 31, 1992 ****

Site type,Recipient..... Evergreen Oil, Inc, Plant # 1190
Address ..... 6880 Smith Street Newark, CA 94560

Violation Notice ..... #3317 - record archived

Occurrence ..... Jan 25, 1990 7:30 a.m.
Issuance ..... May 2, 1990 3:47 p.m. by Michael S Bostick (450)

Offense #..... 1, Regulation 2,Rule 1, Section 307
VN Cleared Date 01-25-90
Source # 1

Violation Details ..... (B-90-02501)condition #3
Interim Disposition ..... Mutual Settlement, Jul 18, 1990
Final disposition ..... Settled out of Court, Aug 18, 1990
Penalty Amount ..... $ 316

Violation Notice ..... #2828 - record archived

Occurrence ..... Apr 10, 1990 11:00 a.m.
Issuance ..... Apr 12, 1990 11:29 a.m. by Peter A Calimeris (522)

Offense #..... 1, Regulation 1, Section 301
VN Cleared Date 04-12-90
Source # 30

Violation Details ..... HTR 401 goes to Flare
Interim Disposition ..... Mutual Settlement, Aug 8, 1990
Final disposition ..... Settled out of Court, Sep 1, 1990
Penalty Amount ..... $ 1000

Violation Notice ..... #5859 - record archived

Occurrence ..... May 22, 1989 2:25 p.m.
Issuance ..... May 22, 1989 3:10 p.m. by Jane M Burns

Offense #..... 1, Regulation 6, Section 301
Source # 30

Violation Details ..... Flare smoking
Interim Disposition ..... Mutual Settlement, Jul 20, 1989
Final disposition ..... Settled out of Court, Aug 16, 1989
Penalty Amount ..... $ 155

Violation Notice ..... #8746 - record archived

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Occurrence ..... Jan 24, 1991 2:45 p.m.
Issuance ..... Feb 14, 1991 3:14 p.m. by Michael S Bostick (450)

Offense #..... 1, Regulation 1, Section 301
VN Cleared Date 01-24-91
Number of days ..... 1 pre-discovery
Violation Details ..... H&S Code 41700 Odor Caused Evacuations
Interim Disposition ..... Mutual Settlement, Apr 16, 1991
Final disposition ..... Settled out of Court, May 3, 1991
Penalty Amount ..... $ 1000

Violation Notice ..... #5869 - record archived

Occurrence ..... Jun 21, 1989 10:00 a.m.
Issuance ..... Jun 23, 1989 11:18 a.m. by Jane M Burns (363)

Offense #..... 1, Regulation 1, Section 301

Violation Details ..... Ten confirmed odor complaints
Interim Disposition ..... Mutual Settlement, Jul 24, 1989
Final disposition ..... Settled out of Court, Aug 22, 1989
Penalty Amount ..... $ 1000

Violation Notice ..... #1379 - record archived

Occurrence ..... Sep 13, 1988 3:00 p.m.
Issuance ..... Sep 16, 1988 3:20 p.m. by Janet S Simon (351)

Offense #..... 1, Regulation 1, Section 501

Violation Details ..... Sampling facilities/platform requirments
Interim Disposition ..... Cancelled, Dec 20, 1988
Final disposition ..... Cancelled, Dec 27, 1988

Violation Notice ..... #429 - record archived

Occurrence ..... May 21, 1987
Issuance ..... May 20, 1988 1:45 p.m. by Jane M Burns (363)

Offense #..... 1, Regulation 2,Rule 1, Section 307
Number of days ..... 61 pre-discovery
Violation Details ..... production exceeded 500 barrels/day
Interim Disposition ..... Mutual Settlement, Aug 25, 1988
Final disposition ..... Settled out of Court, Sep 21, 1988
Penalty Amount ..... $ 1137

Violation Notice ..... #30766 - record archived

Occurrence ..... Jan 7, 1988 3:00 p.m.
Issuance ..... Jan 7, 1988 3:00 p.m. by Jane M Burns (363)

Offense #..... 1, Regulation 8,Rule 18, Section 403.1

Violation Details ..... Failure to keep inspection records
Interim Disposition ..... Mutual Settlement, Feb 8, 1988
Final disposition ..... Settled out of Court, Sep 2, 1988
Penalty Amount ..... $ 150

Violation Notice ..... #14530 - record archived

Occurrence ..... Jul 13, 1987 3:55 p.m.
Issuance ..... Jul 13, 1987 4:20 p.m. by Janet S Simon (351)

Offense #..... 1, Regulation 6, Section 301

Violation Details ..... Flare - main
Interim Disposition ..... Penalty Action, Enforcement, Aug 4, 1987
Received by Legal ..... Aug 6, 1987
Final disposition ..... Settled out of Court, Oct 6, 1987
Penalty Amount ..... $ 200

Violation Notice ..... #13186 - record archived

Occurrence ..... Feb 15, 1987 3:40 p.m.
Issuance ..... Feb 17, 1987 3:33 p.m. by Jane M Burns (363)

Offense #..... 1, Regulation 1, Section 301

Violation Details ..... Tank 512A
Interim Disposition ..... Penalty Action, Enforcement, Mar 18, 1987
Received by Legal ..... Mar 26, 1987
Final disposition ..... Settled out of Court, Mar 30, 1988
Penalty Amount ..... $ 1000

Violation Notice ..... #13182 - record archived

Occurrence ..... Jan 16, 1987
Issuance ..... Jan 28, 1987 3:27 p.m. by Jane M Burns (363)

Offense #..... 1, Regulation 2,Rule 1, Section 301

Violation Details ..... 4 various sources
Interim Disposition ..... No Further Action, Enforcement, Apr 13, 1987
Final disposition ..... No Further Action, Enforcement, Apr 13, 1987

Violation Notice ..... #13183 - record archived

Occurrence ..... Jan 16, 1987
Issuance ..... Jan 28, 1987 3:27 p.m. by Jane M Burns (363)

Offense #..... 1, Regulation 2,Rule 1, Section 301

Violation Details ..... 4000 gal hotwell oil tank w/ carbon canister
Interim Disposition ..... Penalty Action, Enforcement, Apr 10, 1987
Received by Legal ..... May 28, 1987
Final disposition ..... Settled out of Court, Jun 23, 1987
Penalty Amount ..... $ 200

Offense #..... 2, Regulation 2,Rule 1, Section 302

Violation Details ..... 4000 gal hotwell oil tank w/ carbon canister
Interim Disposition ..... Penalty Action, Enforcement, Apr 10, 1987
Received by Legal ..... May 28, 1987
Final disposition ..... Settled out of Court, Jun 23, 1987

Violation Notice ..... #12171 - record archived

Occurrence ..... Oct 21, 1986 13:00 p.m.
Issuance ..... Oct 24, 1986 10:15 a.m. by Jane M Burns (363)

Offense #..... 1, Regulation 9,Rule 2, Section 301

Violation Details ..... Oil recycling plant
Interim Disposition ..... No Further Action, Enforcement, Dec 4, 1986
Final disposition ..... No Further Action, Enforcement, Dec 4, 1986

list violations for PLANT # (@ for all) >>

PLANT# 1190

Evergreen Oil, Inc
6880 Smith Street
Newark, CA 94560

Sources:

1 Hot Oil Heater, H401
3 Pre-Selection Tank (501-A)
4 Pre-Selection Tank (501-B)
5 Pre-Selection Tank (501-C)
6 Pre-Selection Tank (501-D)
7 Post Treatment Water Tank (512-A)
8 Post Treatment Water Tank
9 Slop Tank (502)
10 Feedstock Tank (503-A)
11 Feedstock Tank (503-B)
12 Product Tank Fuel Oil (507)
13 Product Tank (508) Lube Oil
14 Product Tank (509) Fuel Oil
15 Product Tank Fuel Oil (510)
16 Asphalt Tank (511-A)
17 Asphalt Tank (511-B)
19 Oil/Water Separator
21 Transport Loading Facility 4 Nozzles
22 Oil Collection Truck off Load Facility 4 Nozzles
23 Hydrogen Finishing Unit
25 Product Tank (504) Lube Oil
26 Product Fuel Tank (505)
30 Flare X-612 System (Ground & Elevated)
31 Advanced Refinery Heater
32 Boiler X-604
33 Product Tank (506-A) Lube Oil
34 Product Tank (506-B) Lube Oil
35 Product Tank (506-C) Lube Oil
36 Product Tank Lube Oil (506-D)
41 Water Treatment System
42 Truck Water Tank (T-651A)
43 Truck Water Tank (T-651B)
44 Truck Water Tank (T652)

Abatement Devices:

21 CARBON ADSORPTION SYSTEM
2 Flue Gas Scrubber
11 Carbon Permanganate System (502 Service)
12 Carbon Filter (511A Service)
13 Carbon Filter (511B Service)
14 Carbon Filter System (API Service)
15 Carbon Filter (512A,512B Service
32 Flue Gas Scrubber Boiler Service
33 CARBON ADSORPTION SYSTEM

Emission Points:

1 train: ,A2,/
30 train: ,S30,/

list condition NUMBER >> 6094

COND# 6094 ----------

PERMIT CONDITIONS
Conditions for:
S-7, S-8, S-9, S-12, S-14, S-15, S-16, S-17, S-26, S-42, S-43, and S-44 and S21

1) Odorous emissions from the twelve tanks (S-7, S-8, S-9, S-12, S-14, S-15, S-16, S-17, S-26, S-42, S-43, and S-44) shall be routed through the burner fuel gas inlet line to the furnace burner of S-1 for abatement when S-1 is in operation and not experiencing operational problems.
2) When S-1 is not used all emissions from the twelve tanks (S-7, S-8, S-9, S-12, S-14, S-15, S-16, S-17, S-26, S-42, S-43, and S-44) shall be vented to a District approved Carbon Adsorption System (A-33).
3) Effective December 1, 1991 the operator shall record once per day the outlet POC concentration of A-33 Carbon Adsorption system using a District approved TLV sniffer when A-33 is in operation. The results of this sampling shall be entered on a log and reported to the District on a semiannual basis.
4) The carbon in A-33 shall be replaced when the outlet concentration reading on the TLV sniffer exceeds 50 ppm of POC. If this degree of control is insufficient to reduce the impact that that these tanks have on community odors, a more restrictive POC level will be set to require more frequent change outs of the carbon.
5) Sufficient carbon inventory must be kept on site to completely replace the Carbon in A-33. Whenever the Carbon is replaced, the replenishment of the standby supply of carbon shall be completed within fourteen calendar days.
6) The permit holder shall maintain records in a District approved log for: (a) carbon change out intervals and (b) POC exhaust concentration. All records shall be maintained for a period of at least 2 years from date of entry. The logs shall be kept on site and made available to the District staff on request.

Conditions for A-21

1) Emissions from loading operations at S-21 shall be routed by way of vapor recovery through Carbon Adsorption System (A-21) whenever loading operations are occurring at S-21.
2) Effective December 1, 1991 the operator shall record for each loading operation at S-21 the outlet POC concentration of the A-21 Carbon adsorption system using a District approved TLV sniffer. The results of this sampling shall be entered on a log and reported to the District on a semiannual basis.
3) The carbon in A-21 shall be replaced when the outlet concentration reading on the TLV sniffer exceeds 50 ppm of POC. If this degree of control is insufficient to reduce the impact that S-21 has on community odors, a more restrictive POC level will be set to require more frequent change outs of the carbon.
4) Sufficient carbon inventory must be kept on site to

completely replace the Carbon in A-21. Whenever the Carbon is replaced, the replenishment of the standby supply of carbon shall be completed within fourteen calendar days.

5) The permit holder shall maintain daily records in a District approved log for: (a) carbon change out intervals and (b) POC exhaust concentration. All records shall be maintained for a period of at least years from date of entry. The logs shall be kept on site and made available to the District staff on request.

list condition NUMBER >> 1650 — S1, S23, S30

COND# 1650 ----------

1. Evergreen Oil shall not exceed the following emission limits on a facility wide basis:
   Sulfur Dioxide 125 lb/day
   Nitrogen Oxides 125 lb/day
2. Waste Oil processing shall not exceed 16MM gal/yr or 1200 bbl/day.

list condition NUMBER >> 1370 S19

COND# 1370 ----------

1. Evergreen Oil shall test the carbon canister systems on a daily basis for H2S and total hydrocarbons. Evergreen Oil shall replace any canisters that shows an emission o H2S exceeding 50 ppm. Evergreen shall keep a sampling log for each carbon system that lists the apparent concentrations of H2S and hydrocarbon for each canister system and replacement dates. These records shall be retained for at least one year and be available for review by the staff of the BAAQMD.
2. Source 7, T512A, shall not be operated unless vented to Carbon Canister System, A-15.
3. Source 8, T512B, shall not be operated unless vented to Carbon Canister System, A-15.
4. Source 9, T502, shall not be operated unless vented to Carbon/Permanganate Canister System, A-11.
5. Source 16, T511A, shall not be operated unless vented to Carbon Canister System, A-12.
6. Source 17, T511B shall not be operated unless vented to Carbon Canister System, A-13.
7. Source 19, X454, shall not be operated unless vented to Carbon Canister System, A-14.

list condition NUMBER >> 1650

COND# 1650 ----------

1. Evergreen Oil shall not exceed the following emission limits on a facility wide basis:
   Sulfur Dioxide 125 lb/day
   Nitrogen Oxides 125 lb/day
2. Waste Oil processing shall not exceed 16MM gal/yr or 1200 bbl/day.

list condition NUMBER >> 877

COND# 877 ---------- 531 ----------

1. This heater shall be fired only with natural gas.

2. This heater shall not exceed more than 40 ppm by volume and 14.2 lb/day of NOx (calculated as NO2) at 3% oxygen.

list condition NUMBER >>

John A. Sweeney

BAY AREA
AIR QUALITY MANAGEMENT DISTRICT
939 Ellis Street
San Francisco, California 94109

Director of Permit
Services Division

HELP FIGHT
AIR POLLUTION

SAN FRANCISCO FEB-5'92 CALIF.
U S POSTAGE
0.52
P.B. METER 6019569

MR. PETER GEIGER
ECOLOGY AND ENVIRONMENT
160 SPEAR ST.
SUITE 400
SAN FRANCISCO, CA 94105

RECEIVED FEB - 6 1992

UNION SANITARY DISTRICT

October 1, 1991

Mr. Curtis Morgan, President
Evergreen Oil, Inc.
6880 Smith Avenue
Newark, CA 94560

Subject: Administrative Order #91-006

Dear Mr. Morgan:

As you know, the Periodic Report of Continued Compliance (PRCC) submitted to the District on January 30, 1991 showed concentrations of chlorinated organics in Evergreen Oil's wastewater discharge in violation of the 20 ppb limit in effect at that time. At Evergreen Oil's request, a meeting was held on April 9, 1991 to discuss the cause of the violations and appropriate corrective action.

During that meeting, you agreed to submit a time schedule for achieving compliance. In your letter of April 18, 1991, you proposed a three month study to evaluate several treatment and source reduction options. Progress reports were to be submitted on May 15, 1991, June 15, 1991 and August 1, 1991. Test results for analyses performed in May were submitted, but not the required progress report. The June report consisted of three short paragraphs with no supporting data.

The PRCC submitted June 30, 1991 showed no improvement. After evaluation, Evergreen Oil's toxic organic limit was revised to 2.13 mg/L, still well below current concentrations of organics in the facility's discharge. The final report submitted August 12, 1991, was based on only three discharge samples and one sample from each contributing process wastestream. **In the District's opinion, this is not an adequate number of samples to characterize the wastestream.** Proposed corrective actions included in the report are based on the minimum treatment needed to meet limits and **average** discharge concentrations of organics, not **peak loadings**. Also, the proposed final compliance date of January 31, 1992 is unacceptable. In addition, Evergreen Oil's Discharge Permit requires resampling within 30 days of becoming aware of a violation. To our knowledge, no follow-up sampling was performed after violations were detected in January and June.

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As a result of discharge and reporting violations occurring since January 1, 1991, Union Sanitary District has designated Evergreen Oil as being in significant non-compliance with Ordinance No. 32 and the facility's Wastewater Discharge Permit. In accordance with 40 CFR 403.8f(vii), the District will publish Evergreen Oil's name in the local newspaper as a significant violator during 1991. The US EPA and the California Regional Water Quality Control Board will also be notified.

37532 Dusterberry Way
Fremont, CA 94536
(415) 790-0100 FAX (415) 795-0483

Because Evergreen Oil has failed to achieve compliance with wastewater limits, adequately characterize the discharge, and take timely corrective action, the District is issuing this Administrative Order #91-006 and time schedule to Evergreen Oil.

ITEM NO.	TIME SCHEDULE			- EVENT-
	Month	Day	Year	
1.	10	1	91	Installation of V-101 bypass
2.	10	25	91	Submittal of sampling and interim corrective action plan
3.	12	20	91	Submittal of plan for additional corrective action
4.	1	20	92	Submittal of monthly progress report
5.	2	20	92	Submittal of monthly progress report
6.	3	20	92	Submittal of monthly progress report
7.	4	1	92	Final compliance date
8.	4	15	92	Submittal of final report

Other requirements:

1. The sampling and interim corrective action plan (item 2 above) must include:

   - A sampling plan, subject to District approval, designed to fully characterize industrial wastestreams and technically investigate additional treatment and source reduction options. The sampling plan must describe the number, type and location of all monitoring to be done, and include a description of analytical methods and detection limits. Detection limits must be low enough to adequately characterize the wastestreams and confirm compliance.

   - A description of proposed interim control measures designed to minimize discharge of regulated pollutants, and a time schedule for implementation (no longer than 30 days).

2. The plan of additional corrective action (item 3 above) must include:

   - An evaluation of the effectiveness of interim measures.

   - Data adequate to demonstrate that proposed corrective action will result in consistent compliance with all limits.

   - If the proposed corrective action includes partial treatment of a wastestream, an explanation as to why treatment of the entire wastestream is not being proposed (for example, bypassing only 70% of the V-101 gases).

   - A schedule for submittal of comprehensive progress reports, no less often than every 30 days. Progress reports must include supporting data.

3. In addition to self monitoring performed to support the action plan, Evergreen Oil is required to sample the combined facility effluent at the lift station at least once every two weeks. The samples must be collected during the release of the batch treated wastewater. Samples must be collected using approved sampling methods and analyzed for total toxic organics (EPA methods 624 and 625 using grab samples) and heavy metals (Cd, Cr, Cu, Pb, Ni, Zn using 24 hour composite samples). Samples must be analyzed by a state approved wastewater laboratory and results submitted to the District within 5 days of receipt by Evergreen Oil. Sample results indicating a violation of wastewater limits must be reported within 24 hours.

4. No modifications to the facility or discharge, other than those approved by the District as part of the corrective action plan, will be allowed until such time as Evergreen Oil has demonstrated consistent compliance with wastewater discharge requirements. This includes treatment and discharge of storm water. Any future proposed modifications to the facility operations, which impact wastewater in any form, shall be submitted to the District for approval prior to said modifications as a separate document entitled "Proposal to Modify Wastewater Discharge Permit".

5. Union Sanitary District collected a routine compliance sample on August 27, 1991, which had a chromium violation. Evergreen Oil shall respond in writing by **October 16, 1991** as to the cause of the violation and the corrective action taken to prevent future violations.

6. In accordance with 40 CFR 403.8 (f)(2)(v), Evergreen Oil must submit a Slug Control Plan by **December 2, 1991**. At a minimum, the plan must contain:

   a. A description of discharge practices, including non-routine batch discharges.

   b. A description of stored chemicals and hazardous materials.

   c. Procedures for immediately notifying the District of slug discharges, accidental spills, and/or any discharge which violates any part of Ordinance No. 32 or the facility's Discharge Permit. Notification procedures must comply with requirements of the facility's Permit, and include written notification within 5 days.

   d. Procedures to prevent adverse impact from accidental spills, including, but not limited to, housekeeping measures, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, worker training, containment structures and equipment, measures for containing solvents, and/or measures and equipment for emergency response.

Failure to fully comply with all requirements of this Administrative Order will result in additional enforcement action, which may include the initiation of abatement proceedings.

If you have any questions concerning this order, you may call Gary Zanardi or me at (510) 790-0100.

Sincerely,

Herbert N. Schott, Ph.D.
Technical Services Manager

HNS/DW:lmc
AO Folder
Letters F/D

UNION SANITARY DISTRICT

A Public Agency

WASTE SOURCE CONTROL DIVISION

37532 DUSTERBERRY WAY • P.O. BOX 5015
FREMONT, CA 94536
(415) 790-0100

CERTIFIED

☐ U. S. Mail

■ Personal Service

REFER TO NOTICE No. 91-047

NOTICE OF VIOLATION OF INDUSTRIAL WASTE REGULATIONS

To the owner, lessee, manager or other persons having charge of the following premises:

Evergreen Oil — NAME OF INDUSTRY OR BUSINESS

(510) 795-4400 — TELEPHONE NUMBER

6880 Smith Avenue — ADDRESS OF INSTALLATION

Newark, CA 94560 — CITY

You are hereby notified that you are in violation of

■ USD Ordinance No. 32

☐ USD Wastewater Discharge Permit Conditions

☐ EPA Pretreatment Guidelines

☐ Other _____

☐ Hazardous Waste Disposal Regulations

occurring on August 27, 1991 (date of violation) with respect to the discharge of Industrial Waste from your premises into the (Sanitary Sewer), (Storm Drain), (other) as indicated below:

☐ Photograph Time _____ A.M. P.M.

■ Section 2.08.1 ☐ Section _____ ☐ Section _____

Discharge of wastewater in violation of local 0.5 mg/l chromium limit.

You are thereby directed to: comply with requirements of Administrative Order #91-006 in regard to the chromium violation.

WARNING: Failure to comply with the above may result in abatement proceedings as described in Article VII of Ordinance No. 32

Notice Served To: Mr. Curtis Morgan Title: President Date: 10/1/91

WSC Inspector: Donna Wies (signed)

Donna Wies

FOR Waste Source Control Manager
Herbert N. Schott, Ph.D.

Original: Violator / Yellow: Other / Pink: File
:lmc 10/1/91

Date: October 27, 1986
Time: a.m.
To: Erwin Koehler
From: Virginia Lacky

RECORD OF COMMUNICATION

☐ Discussion ☐ Field Trip
☐ Meeting ☐ Phone Call
☐ Other

Subject: Tank explosion at Evergreen Oil, Inc

SUMMARY:

A tank explosion occurred yesterday at Evergreen Oil, Inc. the faility is a lube oil recycler which was issued a permit on October, 1985. Just recently on Sept. 18, 1986, we authorized the faility to proceed with their start-up operation.

Attached are copy of the news clip in the SF Chronicle and copy of the letter sent out on Sept. 18.

Please advise me immediately, if inspection will be conducted.

cc: Dwight Heenig
Douglas Krause
Charlene Williams
Sue Stark
Tim → file (FYI)

Firm:
Address:
Tel. No.

☐ Conclusions ☐ Actions taken ☐ Actions to be taken

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Informational copies:

BAY AREA REPORT

Tank Explosion Shuts Plant In Newark

A tank containing hot liquid asphalt exploded at the new Evergreen oil reprocessing plant in Newark early yesterday, shutting the plant and causing an estimated $25,000 in damages.

The 35,000-gallon tank exploded at 5:15 a.m., sending flames into the air and triggering a blaze that took the Newark Fire Department an hour and a half to douse, said Captain Pat Jenkins.

No one was hurt during the accident at 6880 Smith Avenue, in an industrial area of the southern Alameda County city.

Cal Barnes, vice president of Evergreen, said plant engineers believe a faulty steam pipe may have caused the explosion. The plant will be closed for about a week until a thorough investigation is completed, he said.

South City Man Charged in Crash

A South San Francisco man was charged with felony drunken driving after critically injuring himself and a passenger in a collision on the Hayward-San Mateo Bridge early yesterday, police said.

Rudolfo Portugal, 44, apparently rammed into the back of a Caltrans truck that was stopped in an eastbound lane at about 1 a.m. yesterday, a California Highway Patrol dispatcher said. The truck's emergency flashers were on and the roadway was clear.

Both Portugal and his companion, Nancy Parker, were admitted to the intensive care unit at St. Rose Hospital in Hayward with multiple fractures, and both were in critical condition last night. Parker, 57, of South San Francisco, underwent surgery late yesterday afternoon.

Eskimos Warned

Anchorage, Alaska

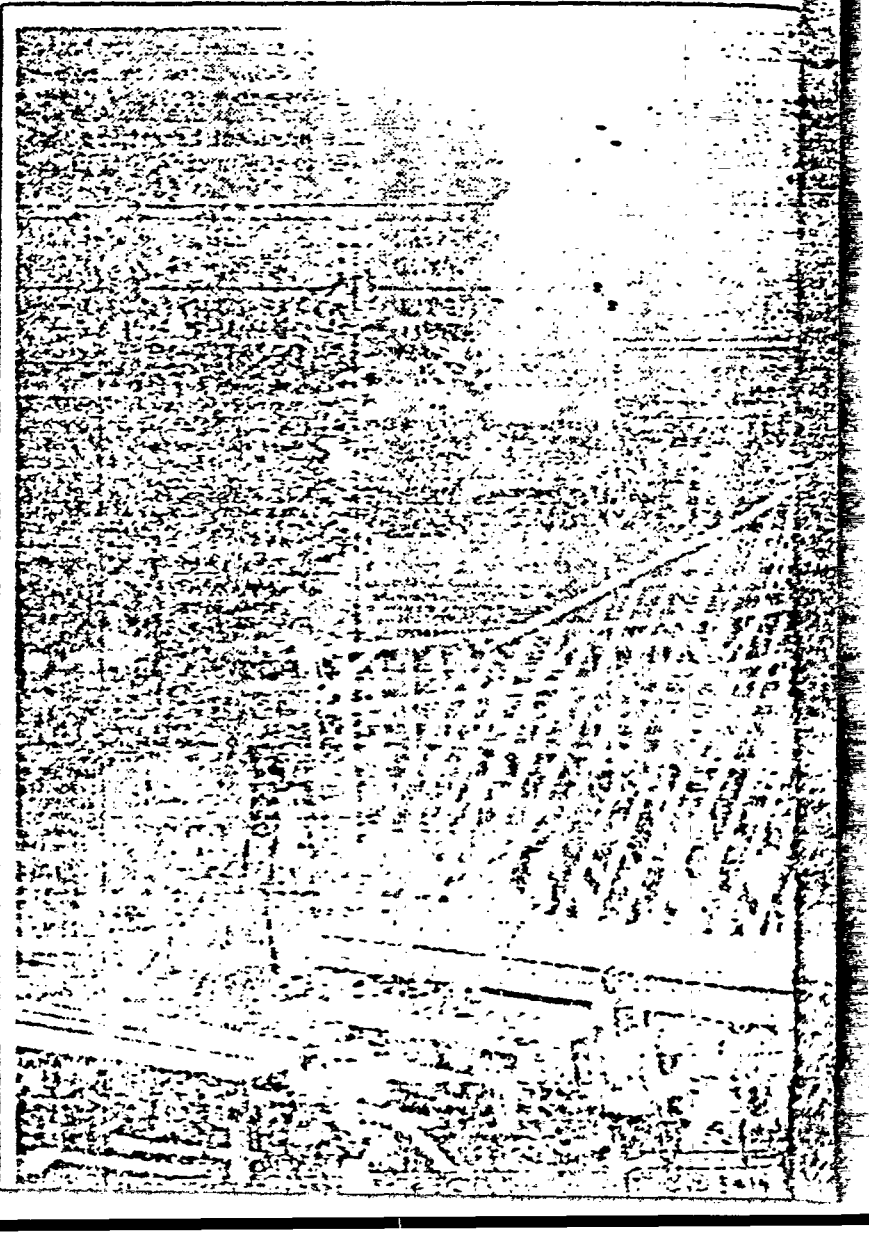
Eskimos have been told not to eat walrus livers and kidneys because they may be tainted with dangerously high levels of the metal cadmium, officials say.

"We're urging our people not to consume the liver or kidney," Caleb Pungowiyi of the Alaska Eskimo Walrus Commission said Friday.

"Those parts are preferred (by Eskimos). They are a delicacy, you might say."

The fall walrus hunting season is just beginning for the Alaska Bering Sea Eskimo hunters of St. Lawrence Island, Little Diomede Island and the Bering Strait mainland village of Wales, Pungowiyi said.

He said the Eskimos who eat what they catch should have a sufficient supply of food even if they avoid the possibly tainted organs.



TO: ALL EMPLOYEES

FROM: TIM SPARKS

10/26/86

At approximately 5:15 AM P.S.T. on Sunday morning the Evergreen Facility experienced an operating incident involving an asphalt storage tank. A brief fire ensued causing very minor damage to the tank farm. There were no injuries.

The automatic plant safety systems activated containing the fire until the arrival of the Newark Fire Department who extinguished it immediately. An Incident Investigation Committee was formed by noon Sunday chaired by Mr. Rob Ray former executive of Union Oil. The plant has been shut down pending conclusive recommendations by the committee.

Due to the rapid response by the Newark Fire Department and controlled reactions by the operators on duty at the plant the community was never in jeopardy. Prior to plant start-up Evergreen personnel attended extensive fire training courses on the containment and handling of incidences of this type.

RCRA FACILITY ASSESSMENT QUESTIONNAIRE

Question 5

Provide data on any releases of hazardous materials to the environment that have occurred in the past or that may still be occurring:

Evergreen Oil has experienced one release of used oil (a Non-RCRA hazardous waste) into the environment. Unfortunately the file containing the details of this release was lost during a change-over in personnel. Following is the best reconstruction of the incident available through interviewing of witnesses to the event.

In the fall of 1988, approximately 25 gallons of used oil was released into the Alameda County flood control channel which runs adjacent to Evergreen Oil. The incident occurred after a very heavy rainstorm caused the storm water drain to back up into the facility. The high rainwater backed-up into a catch basin that had a scum layer of oil floating on top of it. As the water receded, the basin drained into the flood control channel.

Evergreen was notified of the oil slick in the channel by the Newark Fire Department. Evergreen immediately put its spill contingency plan into effect. The U.S. Coast Guard was notified because the spill had the potential to get into San Francisco Bay.

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The oil was prevented from continuing down the flood control channel by a natural dam which had developed due to debris from the storm. Evergreen responded with a vacuum truck and with a clean-up crew with absorbent pads. The entire oil spill was cleaned up to the satisfaction of the Newark Fire Department and the U.S. Coast Guard, both of which were present during the clean-up.

There were no residual effects to the environment as a result of the spill.

To prevent such an occurrence in the future, Evergreen closed off the storm drain from the facility to the flood control channel with a Plumber's Plug. The plug can be removed if necessary and is checked after every storm to ensure that it is securely in place. Storm water from the facility is held on-site in tanks or in the secondary containment system and is recycled within the plant.

FD had no record?

PARTIALLY SCANNED
OVERSIZE ITEM (S)

See Document # 50408
for partially scanned image(s).

For complete version of oversize document(s),
see paper copy.

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Evergreen Oil Inc.

August 20, 1991

Mike James, Branch Chief
Facility Permitting Branch, Region 2
Department of Toxic Substances Control
700 Heinz, Bldg F, Suite 200
Berkeley, California 94710

SUBJECT: Extension on Notice of Deficiency

Dear Mr. James:

As you know, we are in the process of renewing our Part B permit. We received a notice of deficiency (NOD) in late June with a due date of August 30, 1991.

Several weeks ago Jane Burns, our Environmental Manager, met with Daisy Lee to discuss several items on the NOD. Jane explained that in addition to the permit renewal, Evergreen plans to submit a major modification for a plant expansion within the next six to eight months. Sonia Low had suggested that we keep the two applications separate. But after some discussion, Daisy Lee and Karen Toth suggested that it would be best if Evergreen combined the modification and the permit renewal into one package, especially since Evergreen is not in the budget to be reviewed this fiscal year.

We feel comfortable with this suggestion and think it is a good idea for both Evergreen and DTSC. However, if we do combine the renewal with the modification, we will need time some additional time to re-write our Operation Plan.

Therefore, I am requesting an extension on our NOD until January 15, 1992. By that time, we will have had the opportunity to address permitting issues with both the City of Newark and BAAQMD. This will enable us to present you with a much more complete application package which hopefully will be easier for your staff to review.

Also, some of the waste minimization measures Evergreen identified in it's S.B. 14 plan will require permits from DTSC. Incorporating S.B. 14 permitting with the renewal application will be beneficial to both of us by eliminating another separate application.

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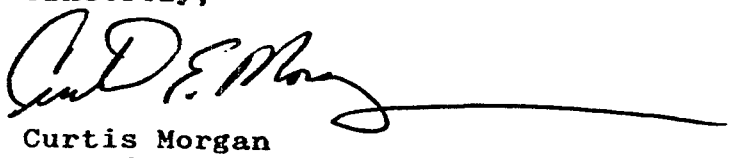
6880 SMITH AVENUE NEWARK, CA 94560 (415) 795-4400 (800) 972-5284 FAX (415) 79-0126

And finally, submitting one complete package instead of two will eliminate duplication of effort. DTSC would only have to conduct one public hearing instead of two.

In light of the above, I am hopeful that you will approve the January 15, 1992 deadline. If I can answer any questions in regards to this matter, please do not hesitate to call me at (415)- 795-4400.

Sincerely,



Curtis Morgan
President